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# What people expect from ombudsmen in the UK

A report on the findings of the project on 'Trusting the middle-man: impact and legitimacy of ombudsmen in Europe'

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# 1. OVERVIEW

## *Executive summary*

The aim of this report is to share findings of my comparative research project on ombudsmen. This report focuses on the UK, involving two of its public sector ombudsmen (Local Government Ombudsman and Parliamentary and Health Services Ombudsman) and three private ombudsmen covering five sectors (Legal Ombudsman, Financial Ombudsman Service and Ombudsman Services covering property, energy and telecoms).

This project is very timely. The world of consumer ADR has been transformed through two extensive matters. First, the continuing crisis in civil litigation funding through the courts, as a consequence of cuts in legal aid and increased legal fees. Second, the implementation of the consumer ADR directive (2013/11/EU) as the main pathway for consumer-to-trader disputes, which mandates the creation of a pan-European ADR network.

Similarly, big changes to the UK public sector ombudsmen are underway. In an attempt to make it easier for the service user to pursue a complaint, in the ever blurring boundaries between public and private service providers, the Public Administration Select Committee and the Gordon report have recommended the bringing together of the jurisdictions of the Parliamentary and Health Ombudsman, the Local Government Ombudsman and the Housing Ombudsman, to create a clearer pathway for complainants.

This summary report offers a unique comparative empirical dataset that provides a first step towards benchmarking (public and private) ombudsman users' expectations. This report is based on recent ombudsman users' responses to a survey that was sent out by all participating ADR bodies from September 2014 to March 2015. The dataset used in the analysis was weighted to reflect the actual frequency of cases for each of the ombudsmen.

Realising, and respecting, the difference in types of complaints that a public sector ombudsman deals with, compared to a private sector ombudsman, this report highlights important similarities and sector specific distinctions. The themes of the survey questions, therefore, reflected comparable stages in a consumer complaint journey (initial contact, the procedure, the outcome, and the overall experience), the report is structured accordingly. There is no individual ombudsman data reported here; rather private and public sector ombudsmen are grouped into just those categories.

For individual reports please see: <https://www.law.ox.ac.uk/trusting-middle-man-impact-and-legitimacy-ombudsmen-europe/project-reports>.

## *Key findings*

Similarities were found in respondents' experience of both public and private ombudsmen relating to the expectations of the initial contact and thereby shaping further engagement. With the procedures' progression, however, a stark divide between users of public and private is apparent. As mentioned above, this report combines all ombudsmen in the study into public and private groups, reflecting their weighting in relation to each other. Individual reports provide a more detailed picture.

### **FIRST CONTACT**

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- ❖ People have too high expectations from the outset.
- ❖ It is very important how ombudsman staff treat people at initial contact.

### **THE PROCEDURE**

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- ❖ Respondents in public schemes were far less likely than those in private schemes to be satisfied with how their cases were dealt with, with almost 60% 'very dissatisfied'.
- ❖ The majority of the respondents were happy with the method of communication they most commonly used with the ombudsman, with almost 80% 'very happy' or 'fairly happy'.

### **THE OUTCOME**

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- ❖ There were stark differences between public and private schemes, with respondents reporting a favourable outcome for only 11% of public cases, compared to 53% of private cases.
- ❖ Having obtained an outcome, the majority of respondents (over 60%) were either 'very willing' or 'fairly willing' to accept it. However, contrasting public and private schemes highlighted huge differences; those with public cases are far less likely than those with private cases to accept the outcome. Only 10% of respondents with public cases were 'very willing' to accept the outcome, compared to 42% for private cases. Conversely, 51% of respondents with public cases were 'very unwilling' compared to 22% for all private cases.
- ❖ The majority of respondents felt the ombudsman was acting according to the law. Users of private ombudsmen reported greater levels than those of public ombudsmen.

### **OVERALL SATISFACTION**

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- ❖ Looking at respondents' overall impressions of the ombudsman, the majority felt that the procedure was either 'somewhat fair' or 'very fair' (60.4% overall). Conversely, around a quarter felt the procedure was 'somewhat unfair' or 'very unfair'.
- ❖ Contrasting public and private schemes once again showed very significant differences in responses and far more negative responses from those in public schemes compared to private schemes. Overall 57% of those in public schemes felt the procedure was 'somewhat unfair' or 'very unfair'. This compared to a quarter of those in private schemes.

## *The research project: impact and legitimacy of ombudsmen in Europe*

The research objective for this project<sup>1</sup> was to compare levels of engagement and trust in ombudsman systems in France, Germany, and the UK. With that objective in mind, research questions aimed to elicit data about: (1) what citizens expect from the ombudsman process, and to understand their level of engagement in the ombudsman complaints processes in each country; (2) the extent to which ombudsmen explain their decisions and thereby engage in the process; (3) the role the individual ombudsman plays, measured by media profile and public exposure, in order to understand better the place and status of the ombudsman within society and understand users' levels of engagement and trust as reflected in the media.

The ombudsman landscape throughout EU member states presents a variety of institutional and jurisdictional arrangements, operational styles and decision-making processes. Although this poses some challenges in being able to conceptualize a unified ombudsman institution, it offers distinct advantages for the study of the relationship between decision-making practices on the part of the ombudsmen and perceptions of procedural justice and levels of trust on the part of users across different jurisdictions and cultures. Despite the significance of ombudsmen to our constitutional and civil justice landscapes, very little is known about users' perceptions of the fairness of the procedures and practices and the significance of these perceptions for levels of trust in particular ombudsman offices.

This project fills this gap, providing important data and knowledge that will be directly relevant to the development of national policies and EU level multiple networks of policy-making. It is also a good benchmarking exercise, comparing customer satisfaction across ombudsmen. Because the research addresses public attitudes to and use of ombudsmen, it will impact on and be pertinent to the public, to consumer groups, to ombudsmen and to policy makers at national and EU level. Academic debate will be encouraged to engage in collaboration with practitioners and representatives of the public. This is very important for countries such as Germany and France where private sector ombudsmen are not noticeably established yet.

This report is based on the survey that was sent out to ombudsman users. Its structure represents the stages in a consumer's complaint journey:

- ❖ Initial contact with the ombudsman
- ❖ The procedure
- ❖ The outcome
- ❖ Overall experience with the ombudsman.

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<sup>1</sup> <https://www.law.ox.ac.uk/projects/Ombudsmen>

## Structure of the report

The report is in seven main sections. Following this overview of the research project, the second section describes the methodology and provides an outline of the type of complaints dealt with by the ombudsmen that are part of this study, concluding with respondents' expectations. The following four sections outline the consumer complaint journey, based on the structure of the survey questions: section three: initial contact with the ombudsman; section four: the procedure; section five: the outcome; section six: overall experience with the ombudsman. The last section provides respondent demographics.

## 2. METHODOLOGY

The project has mainly involved collecting data by sending out satisfaction surveys by post and email through the ombudsmen. The distribution of letters and emails was chosen to represent typical ombudsman users' habits for the individual schemes studied in this project. The study included 14 ombudsman schemes in total, from the UK, Germany and France.

# PARTICIPATING OMBUDSMEN



This report, however, is based on the results of the UK dataset of 1,024 recent users of both public and private sector ombudsmen. These are as follows:

|  |         |   |
|--|---------|---|
| Parliamentary and Health Service Ombudsman | (PHSO)  | Makes final decisions on complaints that have not been resolved by the NHS in England, UK government departments or other UK public organisations.  |
| Local Government Ombudsman                 | (LGO)   | Looks at complaints about councils and some other authorities and organisations, including education admissions appeal panels and adult social care providers (such as care homes and home care providers).   |
| Legal Ombudsman                            | (LeO)   | A scheme set up to help resolve legal service disputes.   |
| Financial Ombudsman Services               | (FOS)   | Looks at complaints about most financial problems involving: PPI (payment protection insurance), banking, insurance, mortgages, credit cards and store cards, loans and credit, payday lending and debt collecting, pensions, savings and investments, hire purchase and pawnbroking, money transfer, financial advice, stocks, shares, unit trusts and bonds.  |
| Ombudsman Services                         |         |   |
| Energy                                     | (OS: E) | Deals with problems with energy bills; problems resulting from an energy company's sales activity; problems resulting from switching gas or electricity supplier; physical problems relating to the supply of energy to a home or small business, such as power cuts and connections; micro generation and feed-in tariffs (FITs); and problems relating to the provision of services under the Green Deal. |
| Communications                             | (OS: C) | Looks at billing problems; problems resulting from a company's sales activity; problems resulting from switching from one company to another; poor service, for example, failing to act on a request; premium rate services (PRS); pay TV; voice-on-demand (VOD); and mobile phone handsets.  |
| Property                                   | (OS: P) | Deals with apparent breaches of obligations; unfair treatment; avoidable delays; failure to follow proper procedures; rudeness or discourtesy; not explaining matters; and poor or incompetent service.   |

## *Weighting*

The dataset used in the analysis was weighted to attempt to reflect the actual frequency of cases for each of the ombudsmen. This involved collating data on the frequency of cases from annual reports, calculating the relative proportion of each scheme and then weighting the dataset to reflect these proportions. This was necessary as FOS is dealing with significantly more cases than all its colleagues. Four separate weightings were used:

- 1) A weight was applied to return the relative proportions of each scheme to their actual proportions. This was used when looking at all respondents or cases (typically referred to as 'all respondents' in the report).
- 2) The second weight was similar in construction to 1, but excluded FOS cases to avoid them exerting excessive influence (since FOS cases are so much more frequent than cases for other schemes). This weight was used to look at all data, but excluding FOS cases (typically referred to as 'excluding FOS' in the report).
- 3) A third weight applied weights to public and private schemes independently (so they could be compared). This weight was used to produce statistics for public and private schemes (typically referred to as 'public' and 'private – all' in the report).
- 4) A fourth weight replicated 3 but excluded FOS. This weight was used to produce statistics for private schemes, but excluding FOS (typically referred to as 'private – no FOS' in the report).

## *Analysis*

I am very grateful to Nigel Balmer, Reader in Law and Social Statistics at UCL, who provided the first analysis of the UK dataset and the descriptive univariate analysis in this report. Whilst these initial statistics cover a broad range of questions from the questionnaire, it is not comprehensive. The report is a starting point to provide an overview of the findings for public and private ombudsmen use in the UK. The dataset has substantial scope to deliver more complex analyses as well as analyses and reporting to individual schemes.

## *Types of issues*

This report looks at different ombudsmen, covering a large range of problems. Despite similarities in people's expectations towards these bodies, there are distinct differences that need to be kept in mind when reading this report. The following highlights some examples of distinctions between the types of problems a private and a public ombudsman deals with.



***Some of the issues people contacted the ombudsmen about in the public sector are:***

'Councils treatment of our disabled daughter and refusal to transport her to education.'

'Local authority planning department was rude, uncooperative, unprofessional and tardy. I was not afforded the opportunities of other taxpayers.'

'Poor service with xxx Hospital, premature death of mother, left dehydrated which was a contributing factor to her death. Lack of transparency of hospital.'

'Ongoing and consistent failure of my GP's surgery to deliver robust services in a timely & accurate manner. Included child protection issues.'

'School admission to a selective school especially the poor conduct of education authority and appeal panel members.'

'I new street light was fitted outside my house which shone brightly into our bedroom windows. My requests to the Contractor and Council to reduce the light pollution were not dealt with properly, and neither was the subsequent complaint to the Council.'

'Problem trying to obtain accurate help and information on Government energy scheme for people on certain benefits.'

***Some of the issues people contacted the ombudsmen about in the private sector are:***

'About inheritance. The bank Manager gave me the opportunity to be the lawful beneficiary of the late client and have all the documents approved from the court and also the death certificate of the late client.'

'OFCOM not protecting the public from mis-selling.'

'Bank "errors" in not processing Transfer payments.'

'Disputed service from holiday insurance provider.'

'I have been overcharged by xxx for many years. They reduced premiums on Home insurance by two thirds when I complained but refused to refund any historic over payments.'

'An incompetent, indolent, intransigent and dishonest energy company who flouts its Code of Practice with impunity, fails to answer emails/questions and who owes many amounts of Guaranteed Service compensation payments.'

'Energy company refusing to act on complaints about meter readings.'

'I had made a PPI claim against xxx and they had stated that they did not feel they had mis-sold their policy to me, I therefore contacted the Financial Ombudsman to look into my case.'

Despite the differences in the types of complaints and types of ombudsmen covered in this report, there are distinct similarities in consumers' expectations that this report will also highlight.

### *Routes to the ombudsman and the decision to complain*

When people encounter a problem with the provision of goods and services, they have to confront the source of that complaint before they can contact the ombudsman. This means that people who contact the ombudsman have not been able to solve their grievance with the company or public service provider. When asked whether they felt that they had spent much time and effort on trying to sort out the problem before approaching the ombudsman, the majority of the sample strongly agreed. Table 1 shows respondents' views for all cases and excluding FOS, while Table 2 presents similar data for all public cases, all private cases and private cases excluding FOS. As can be seen in both tables, the picture changes somewhat once FOS cases are removed, with levels of agreement increasing. This was because FOS was more likely than other schemes to be approached without respondents having first spent significant time and effort on problem resolution.

**Table 1.** The extent to which respondents felt that they had spent much time and effort on trying to sort out the problem before approaching the ombudsman (all respondents and excluding FOS)

|                   | All respondents |      | Excluding FOS |      |
|-------------------|-----------------|------|---------------|------|
|                   | N               | %    | N             | %    |
| Strongly agree    | 886             | 67.6 | 963           | 86.4 |
| Agree             | 309             | 23.6 | 121           | 10.8 |
| Neither           | 48              | 3.7  | 9             | 0.8  |
| Disagree          | 41              | 3.2  | 5             | 0.5  |
| Strongly disagree | 26              | 2.0  | 16            | 1.5  |

**Table 2.** The extent to which respondents felt that they had spent much time and effort on trying to sort out the problem before approaching the ombudsman (public, all private and private excluding FOS)

|                   | Public |      | Private - all |      | Private - no FOS |      |
|-------------------|--------|------|---------------|------|------------------|------|
|                   | N      | %    | N             | %    | N                | %    |
| Strongly agree    | 488    | 82.9 | 487           | 67.5 | 457              | 86.9 |
| Agree             | 63     | 10.7 | 172           | 23.8 | 57               | 10.8 |
| Neither           | 20     | 3.4  | 26            | 3.6  | 3                | 0.6  |
| Disagree          | 3      | 0.5  | 23            | 3.2  | 2                | 0.4  |
| Strongly disagree | 15     | 2.5  | 14            | 1.9  | 7                | 1.3  |

### *Expectations of the ombudsman*

**One of the first survey questions asked respondents what they expected the ombudsman to do for them. Some snapshots of these expectations follow:**

'I hope that the PHSO can force xxx to at least communicate me properly, and perhaps pay compensation for the lost passport and the extra costs this incident has caused me. Also, I hope to find out the reason for the refusal of my permanent residence application.'

'Ensure that the hospital do not brush the complaint under the table/ensure that questions are answered and my questions are not ignored.'

'A fair assessment of my complaint taking into account all the evidence gathered in previous two years of trying to get my complaint resolved in the NHS.'

'Investigate matters impartially and attempt to rectify wrongdoing by a public body and make recommendations to alter the bodies structure accordingly.'

'Change procedures at the hospital to make it safe for the patients and recompense the injured party for monies lost as a result of the injuries.'

'I expected the FOS to review my case and request the IP insurer to honor the agreement and pay me the insurance they owed me.'

'I felt the mortgage company would not listen to me or offer me an explanation of why they made this mistake. I felt that once the ombudsman was involved then the company would have to explain why and when they had made the mistake.'

'I hoped they could get both companies to actually listen and properly investigate what was causing the delays so someone could take responsibility and finally sort it out, rather than just expecting me to pay money that I didn't actually owe at all. Neither company would listen to me and just kept telling me it was the other company's fault.'

'We were expecting the LGO to read our file detailing the events and agree that we were unfairly treated and stop the planning officers doing what ever they want without any consideration for surrounding neighbours.'

'To require [energy company] addressing a perfectly reasonable and legitimate request from a vulnerable person.'

'Force [energy company] to something reasonable, ie arrange for future billing to be adjusted in line with usage, make refunds for previous overbilling, provide compensation.'

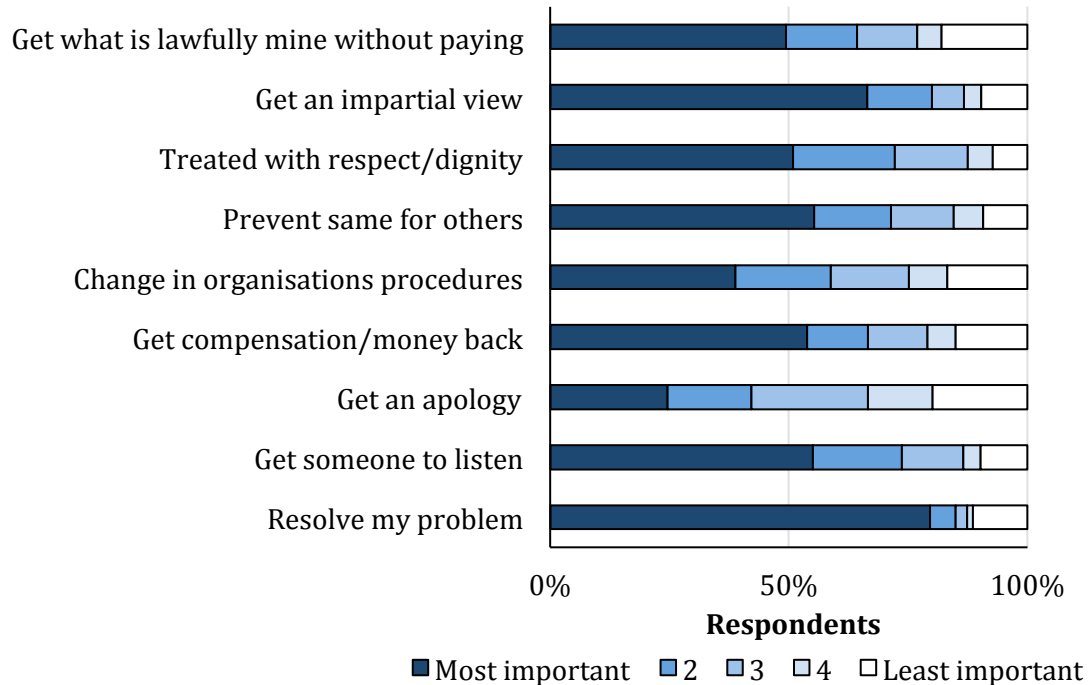
'Solve the problem. Deal with [energy company] on my behalf to get a quicker resolution.'

'I believed that they had the "teeth" to resolve what seemed to be a straightforward case of an erroneous transfer which I simply couldn't resolve however hard I tried.'

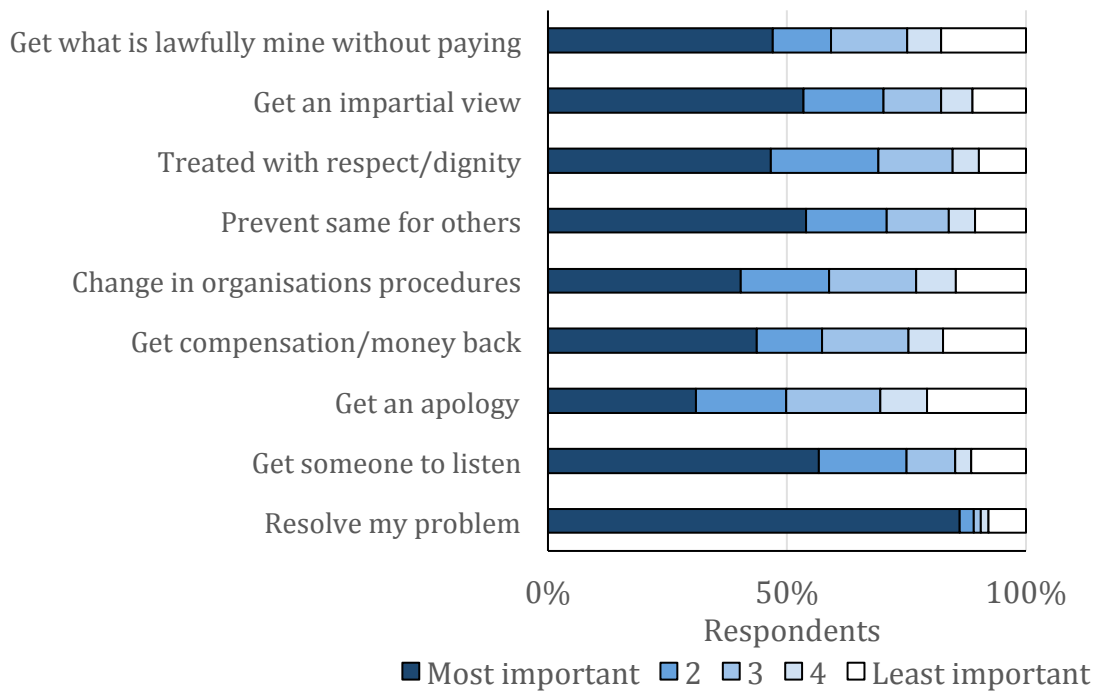
Looking at this initial set of expectations that people have of ombudsmen, it already becomes apparent that some of these are very difficult to fulfil and require careful explanations and signposting.

### *Factors in the decision to complain*

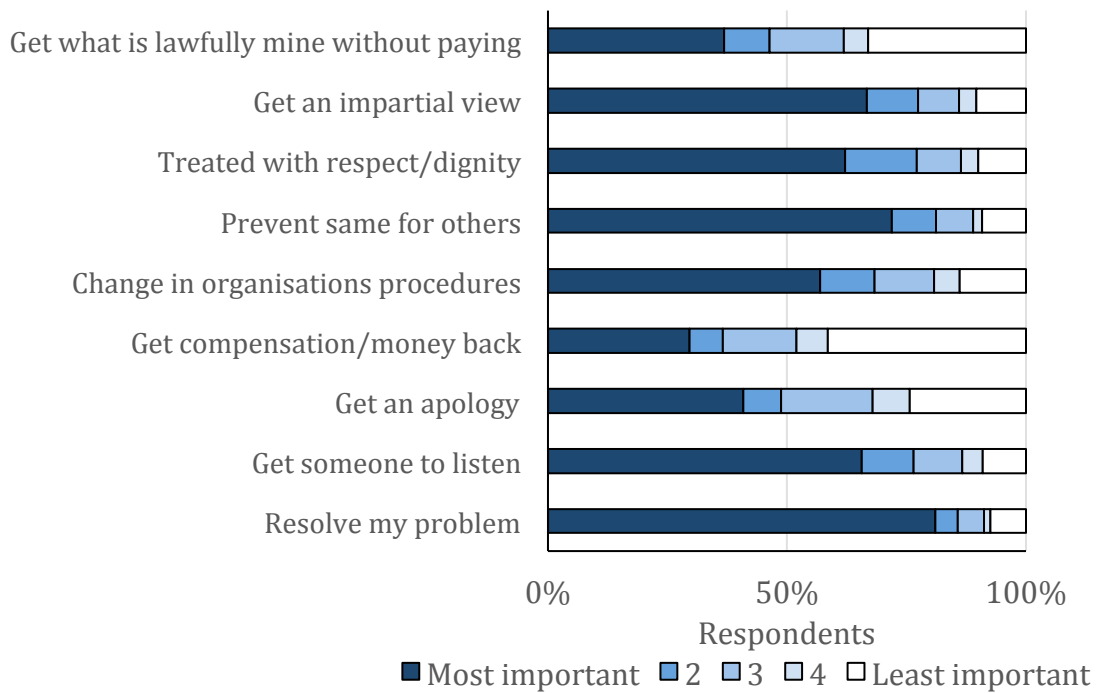
Respondents were asked how important they felt a range of factors were in their decision to complain. Figures 1 to 5 show respondents' views for all cases (Figure 1), excluding FOS (Figure 2), public cases (Figure 3), all private cases (Figure 4) and private cases excluding FOS (Figure 5). As can be seen across all five figures, wanting to resolve problems was the most important factor in the decision to complain.



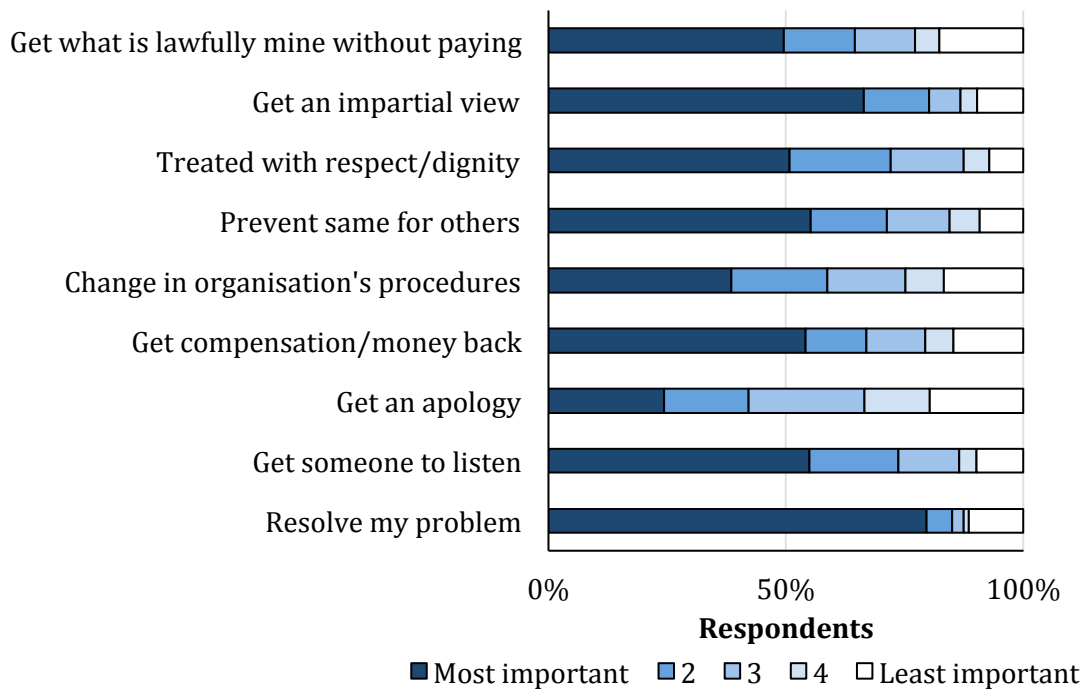
**Figure 1.** The importance of a variety of factors in the decision to complain (all respondents)



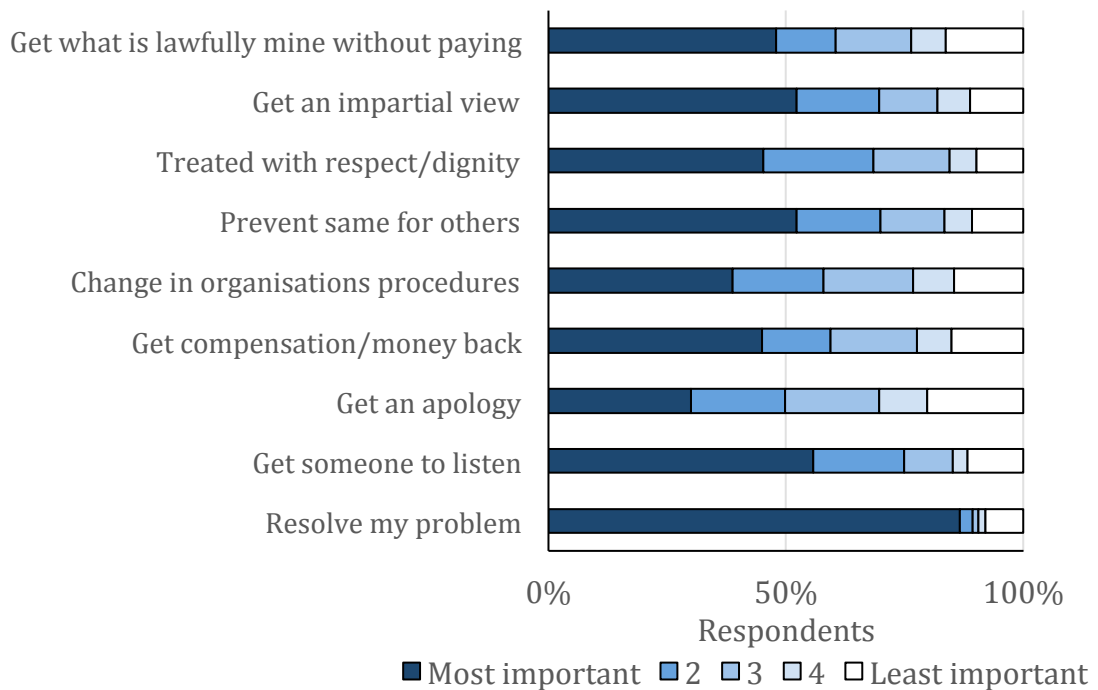
**Figure 2.** The importance of a variety of factors in the decision to complain (excluding FOS)



**Figure 3.** The importance of a variety of factors in the decision to complain (public)



**Figure 4.** The importance of a variety of factors in the decision to complain (all private)



**Figure 5.** The importance of a variety of factors in the decision to complain (private excluding FOS)

### 3. INITIAL CONTACT WITH THE OMBUDSMAN

Respondents were asked whether their contact with the ombudsman was the first time they had used an ADR body; 943 of 1,310 (72.0%) suggested that it was. Excluding FOS cases, this percentage rose (886 of 1115; 79.4%). 412 of 588 (70.1%) public cases involved first time users, with 520 of 722 (72.0%) for private cases and 423 of 527 (80.3%) of private cases excluding FOS.

#### *How respondents first contacted the ombudsman*

Despite there being shared channels of initial contact with the ombudsmen (email, phone, letter/fax or website), a breakdown into the individual bodies was necessary to reflect the variety.

Starting with the public sector ombudsmen, 112 of 316 respondents (35.4%) first contacted the LGO by telephone, followed by 83 respondents (26.3%) by letter/fax, 53 people (16.8%) got in touch via email and 48 (15.2%) through LGO's website. 7 respondents (2.2%) used the web complaint form and 1 respondent filled in a paper complaint form. Compared to the LGO respondents, 157 of 316 (57.7 %) PHSO respondents used email as the main channel of first communication with the ombudsman. 42 respondents (15.4 %) chose letter/fax and 33 (12.1 %) telephoned the PHSO. 25 respondents (9.2 %) used the PHSO website to initiate contact. Finally, 4 respondents stated that someone else contacted the PHSO on their behalf.

The private sector ombudsmen users also vary in their chosen first contact method. 70 of 195 FOS respondents (35.9%) made their first contact through a letter/fax, closely followed by 68 people (34.9%) who telephoned FOS. 30 respondents (15.4%) reported that they used email and 27 (13.8%) went through the FOS website. The telephone was the main mode of first contact with the LeO: 21 of 52 respondents (40.4%). 14 (26.9%) contacted LeO by email, followed closely by 11 (21.2%) website contacts. For users of OS, 159 of 475<sup>2</sup> (33.5 %) used email to first contact the ombudsman, 147 people (30.1 %) chose the OS website, and 136 respondents (28.6 %) telephoned OS, whilst the smallest number in the sample, 27 (5.6 %), reported that they wrote a letter to contact the ombudsman.

#### *Impression given by staff when first contacting the ombudsman*

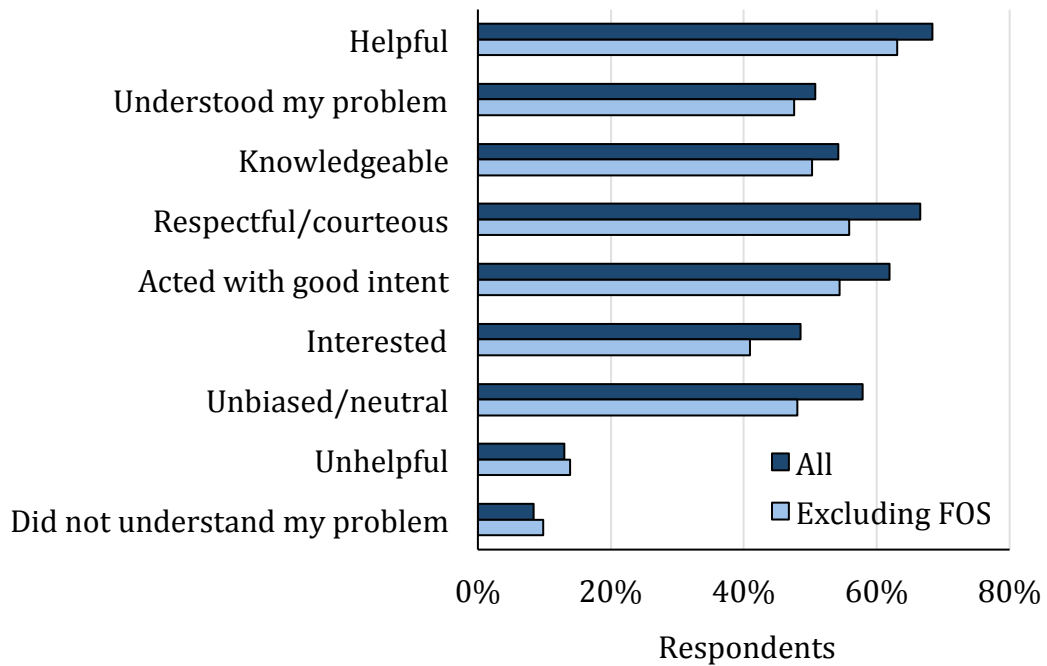
Respondents were asked to give their impression of ombudsman staff upon initial contact, across a range of domains. Figure 6 shows how respondents felt about ombudsman staff for all cases and excluding FOS cases. Figure 7 presents similar data for public sector cases, all private sector cases and private cases excluding FOS. As shown in Figure 6, overall, respondents tended to feel that staff were particularly helpful and respectful/courteous, though the results were

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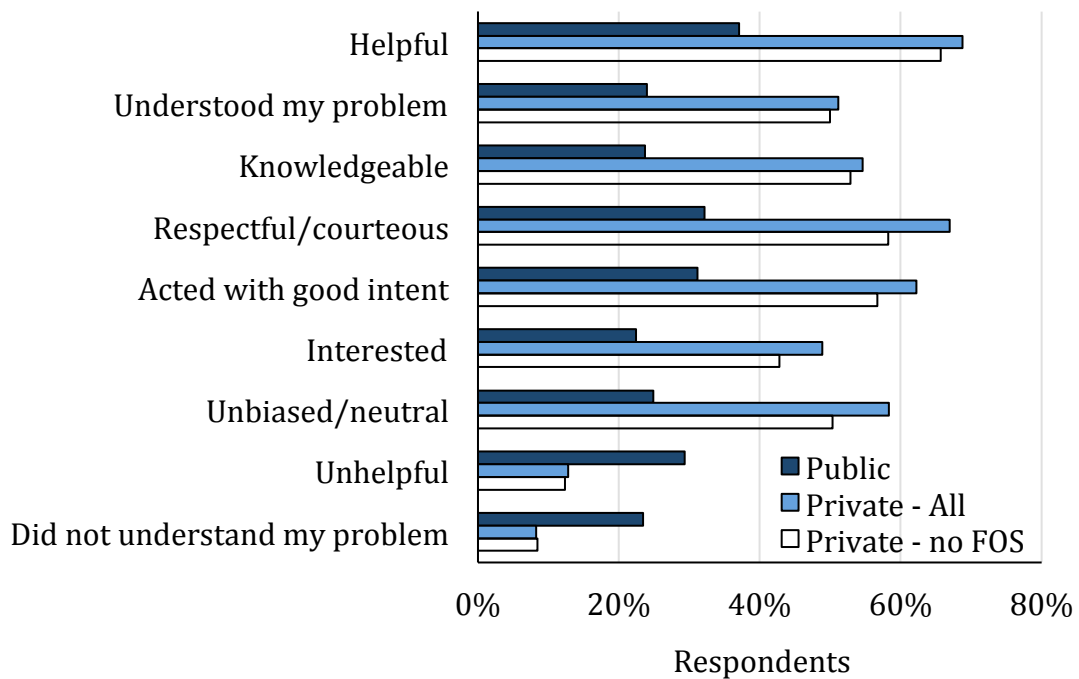
<sup>2</sup> This is the sum of energy, property and communications.



marginally less positive once FOS cases were removed. Turning to Figure 7, however, showed quite stark differences between the public and private sectors, with respondents less positive about 'public' staff across all domains.



**Figure 6.** Respondents' initial impression of ombudsman staff (all respondents and excluding FOS)

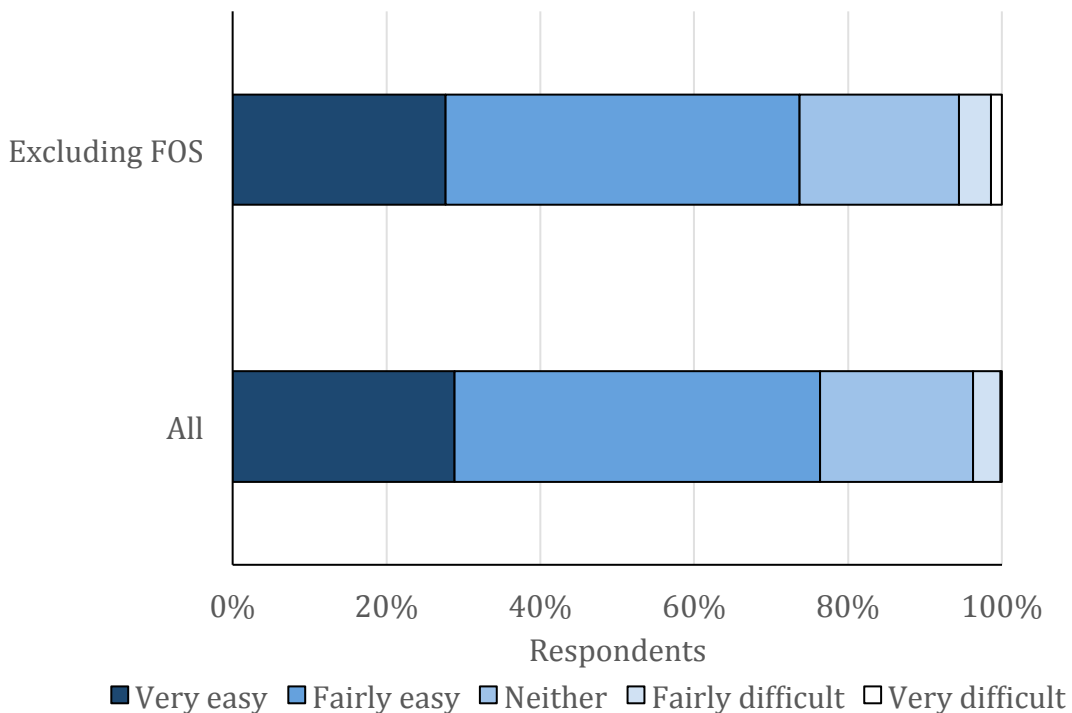


**Figure 7.** Respondents' initial impression of ombudsman staff (public, all private and private excluding FOS)

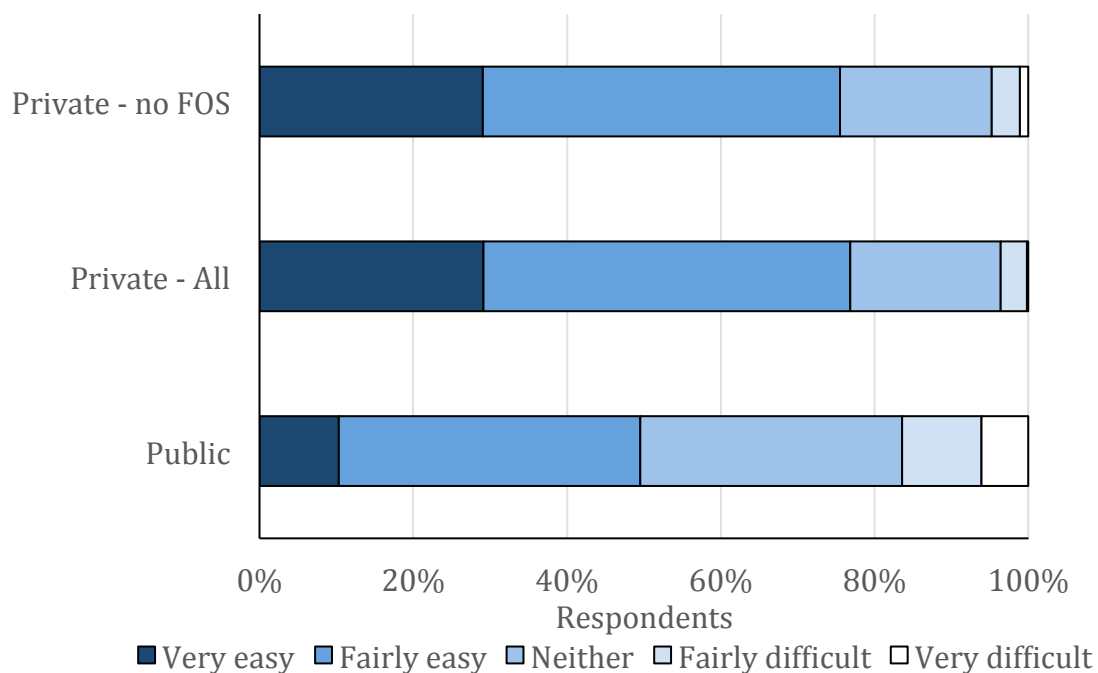
### *Use of ombudsman website and ease of use*

Overall, 506 of 1,310 respondents (61.4%) used the ombudsman’s website, with this proportion rising to 781 of 1,115 (70.1%) once FOS cases had been removed. When splitting the public and private sectors, 330 of 588 (56.1%) of public sector complainants used the ombudsman’s website, 444 of 722 (61.5%) of private sector complainants and 376 of 527 (71.3%) private sector complainants excluding FOS. Those using ombudsman websites were then asked how easy or difficult it was to find what they were looking for. Figure 8 shows respondents’ views on ease of website use for all cases and excluding FOS cases. Figure 9 presents similar data for public cases, private cases and private cases excluding FOS.

As can be seen in Figure 8, ‘very easy’ and ‘fairly easy’ accounted for over three-quarters of website use, with little difference once FOS cases had been removed. However, respondents were far less positive about ombudsman websites in the public sector, with only 10% specifying ‘very easy’ compared to almost 30% for the private sector.



**Figure 8.** How easy or difficult respondents felt it was to find what they were looking for on the ombudsman’s website (all respondents and excluding FOS)



**Figure 9.** How easy or difficult respondents felt it was to find what they were looking for on the ombudsman's website (public, all private and private excluding FOS)

## 4. THE PROCEDURE

### *Satisfaction with how the ombudsman dealt with case*

Moving on from the initial contact to the actual procedure almost two-thirds of respondents were 'somewhat satisfied' or 'very satisfied' with how the ombudsman dealt with their case, with just less than a third 'somewhat dissatisfied' or 'very dissatisfied' (Table 3). While removing FOS cases slightly reduced overall satisfaction with the ombudsman, differences were nowhere near as great as when contrasting the public and private sectors in Table 4. As can be seen, respondents in public schemes were far less likely than those in private schemes to be satisfied with how their cases were dealt with, with almost 60% 'very dissatisfied'.

**Table 3.** The extent to which respondents were satisfied with how the ombudsman dealt with their case (all respondents and excluding FOS)

|                       | All respondents |      | Excluding FOS |      |
|-----------------------|-----------------|------|---------------|------|
|                       | N               | %    | N             | %    |
| Very satisfied        | 601             | 45.9 | 458           | 41.1 |
| Somewhat satisfied    | 226             | 17.3 | 182           | 16.3 |
| Neither               | 51              | 3.9  | 65            | 5.8  |
| Somewhat dissatisfied | 135             | 10.3 | 116           | 10.4 |
| Very dissatisfied     | 297             | 22.7 | 295           | 26.4 |

**Table 4.** The extent to which respondents were satisfied with how the ombudsman dealt with their case (public, all private and private excluding FOS)

|                       | Public |      | Private - all |      | Private - no FOS |      |
|-----------------------|--------|------|---------------|------|------------------|------|
|                       | N      | %    | N             | %    | N                | %    |
| Very satisfied        | 54     | 9.2  | 335           | 46.3 | 233              | 44.2 |
| Somewhat satisfied    | 54     | 9.2  | 126           | 17.4 | 90               | 17.1 |
| Neither               | 62     | 10.5 | 28            | 3.9  | 28               | 5.3  |
| Somewhat dissatisfied | 73     | 12.4 | 74            | 10.2 | 54               | 10.2 |
| Very dissatisfied     | 345    | 58.7 | 160           | 22.1 | 122              | 23.1 |

Due to the differences between public and private sector responses, the two will be dealt with separately in the following satisfaction rationale.

**Private sector**

'I was compensated for my losses and the Ombudsman understood my predicament about the fact that I had to complete on my house purchases, which was criticized by the insurance company.'

'They got me my money back'

'I was given a full explanation of why the mistake occurred'

'Had to repeat the problem and background a number of times before I thought they understood the issue fully.'

'They acted professionally throughout, although they could have kept me better informed during the periods when it seemed that little or nothing was happening'

'They did a reasonable job but the energy company continues to ignore me still and has not made the agreed compensation payment so they do not have sufficient "clout"

## **Public sector**

'Despite me saying that there was no way of resolving my complaint with the surgery direct as they could not give me what I required within a reasonable timescale, the ombudsmen still said I must go back to them to first try and resolve the problem... What a waste of time!'

'Had missed the key points of my correspondence, had to explain.'

'Informed "MP stage" referral can be a barrier – and appears to be. Would be helpful to remove this aspect when an MP is nonchalant or possibly "involved" in reason required for referral.'

'the investigator did not seem to know the full facts of my complaint. The investigation was not independent'

'I don't believe that my complaints were fully understood and acknowledged properly.'

## ***Whether or not the way the case was resolved was as expected***

Respondents were then asked about the extent to which they felt that their case was resolved as expected; opinions were divided, as shown in Table 5 (and a broadly similar picture once FOS cases were removed). However, as shown in Table 6, there were again significant differences between public and private schemes, with only 9% of those in public schemes suggesting resolution was 'exactly as expected' compared to almost 30% for private schemes.

**Table 5.** The extent to which respondents felt that their case was resolved as they expected (all respondents and excluding FOS)

|                            | All respondents |      | Excluding FOS |      |
|----------------------------|-----------------|------|---------------|------|
|                            | N               | %    | N             | %    |
| Exactly as expected        | 379             | 29.0 | 304           | 27.2 |
| Close to what I expected   | 389             | 29.7 | 329           | 29.5 |
| I expected something else  | 134             | 10.3 | 150           | 13.4 |
| Not at all what I expected | 407             | 31.1 | 333           | 29.8 |

**Table 6.** The extent to which respondents felt that their case was resolved as they expected (public, all private and private excluding FOS)

|                            | Public |      | Private - all |      | Private - no FOS |      |
|----------------------------|--------|------|---------------|------|------------------|------|
|                            | N      | %    | N             | %    | N                | %    |
| Exactly as expected        | 53     | 9.0  | 211           | 29.2 | 153              | 29.0 |
| Close to what I expected   | 89     | 15.1 | 216           | 29.9 | 163              | 30.9 |
| I expected something else  | 96     | 16.3 | 73            | 10.1 | 69               | 13.1 |
| Not at all what I expected | 350    | 59.5 | 222           | 30.7 | 142              | 26.9 |

Following the apparent distinction between public and private responses, they are presented in their key differences, highlighting users' unmet expectations.

***Private scheme user responses:***

'Given all the evidence presented of wrong doing it was staggering that the FOS refused to investigate the company's behaviour'

'It was very much more positive than I expected – was expecting a "robot" type person but was very pleasantly surprised'

'It was better than I expected. It was what we hoped for but didn't expect it to be as good as it was. We were skeptical and thought it was a foregone conclusion that they would side with the bank. We were wrong!'

'OS Energy do not appear to have any legal sanction against the energy company when they have failed to abide by their resolution.'

'Actually better than expected, because of the compensation received.'

'After discussion with the investigator I understood how an acceptable resolution might be achieved.'

### ***Public scheme user responses:***

'The Ombudsman arbitrarily made a finding without there being evidence to support this finding'

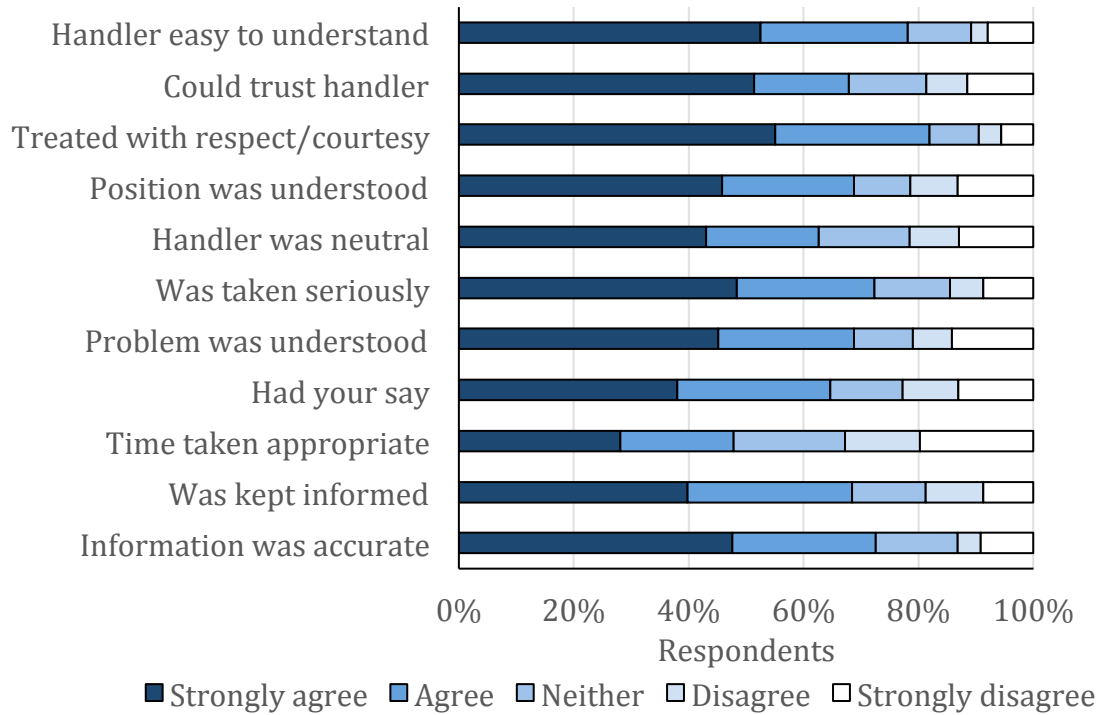
'Do not feel complaint was investigated thoroughly. No face contact. No final action taken.'

'Took forever to get a response and even had to make a call as still hadn't received any sort of communication except a automated email. 18 days after my complaint was made I finally received the first communication from someone.'

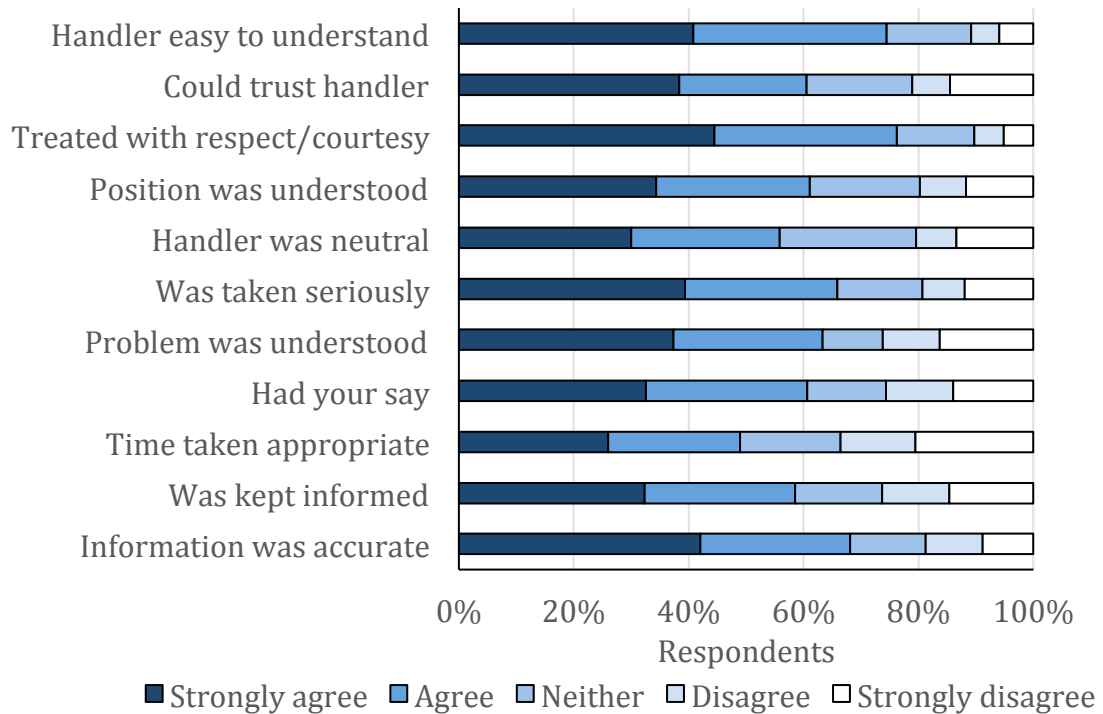
'I got some helpful orientation, and have followed up on that advice. When the case is resolved, I'll be able to say whether or not the service met my expectations.'

### ***Views on how the complaint/enquiry was handled***

Respondents were presented with a series of statements relating to how their case was handled (prior to a final decision) and asked the extent to which they agreed or disagreed with them. Figures 10 to 14 show the extent to which respondents agreed or disagreed with statements for all cases (Figure 10), excluding FOS (Figure 11), public cases (Figure 12), all private cases (Figure 13) and private cases excluding FOS (Figure 14). As shown in Figure 10, respondents were particularly positive about the ease of understanding their case handler and being treated with courtesy and respect. Conversely, they were least likely to agree that the time taken was appropriate. Levels of agreement also dropped slightly once FOS cases were removed (Figure 11). Contrasting public and private schemes (Figures 12–14) once again highlighted very large differences in respondents' views. Once again, respondents were far more negative about public schemes, across all statements (Figure 12).

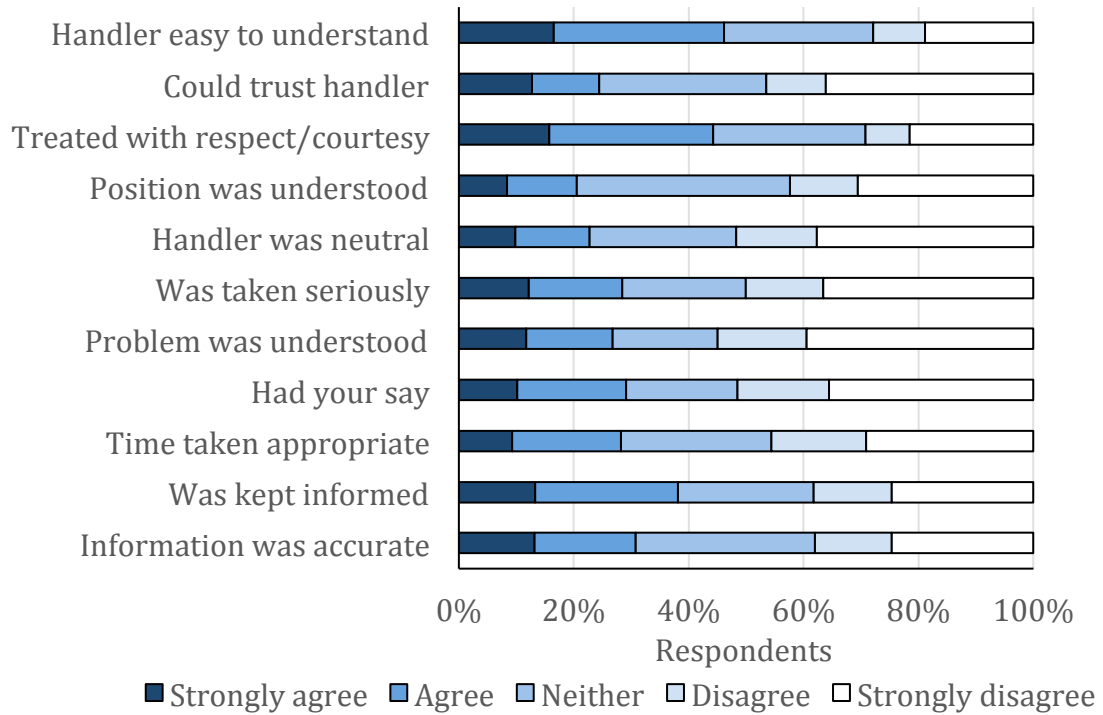


**Figure 10.** The extent to which respondents agreed or disagreed with statements relating to how their case was handled (prior to a final decision) (all respondents)

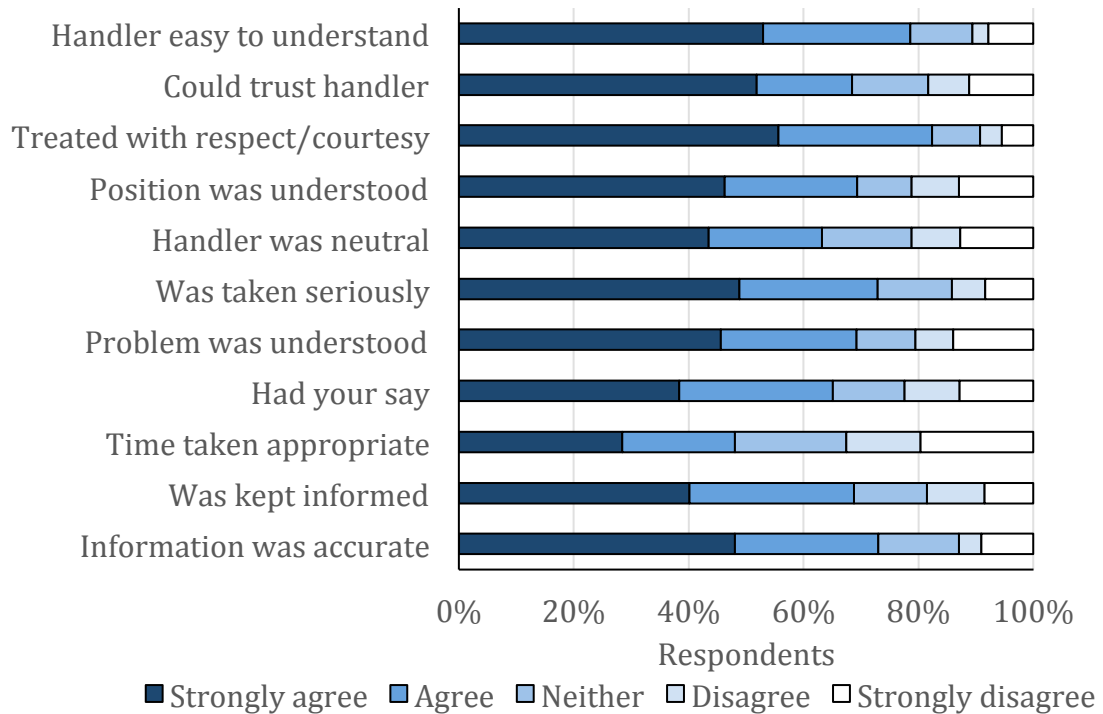


**Figure 11.** The extent to which respondents agreed or disagreed with statements relating to how their case was handled (prior to a final decision) (excluding FOS)

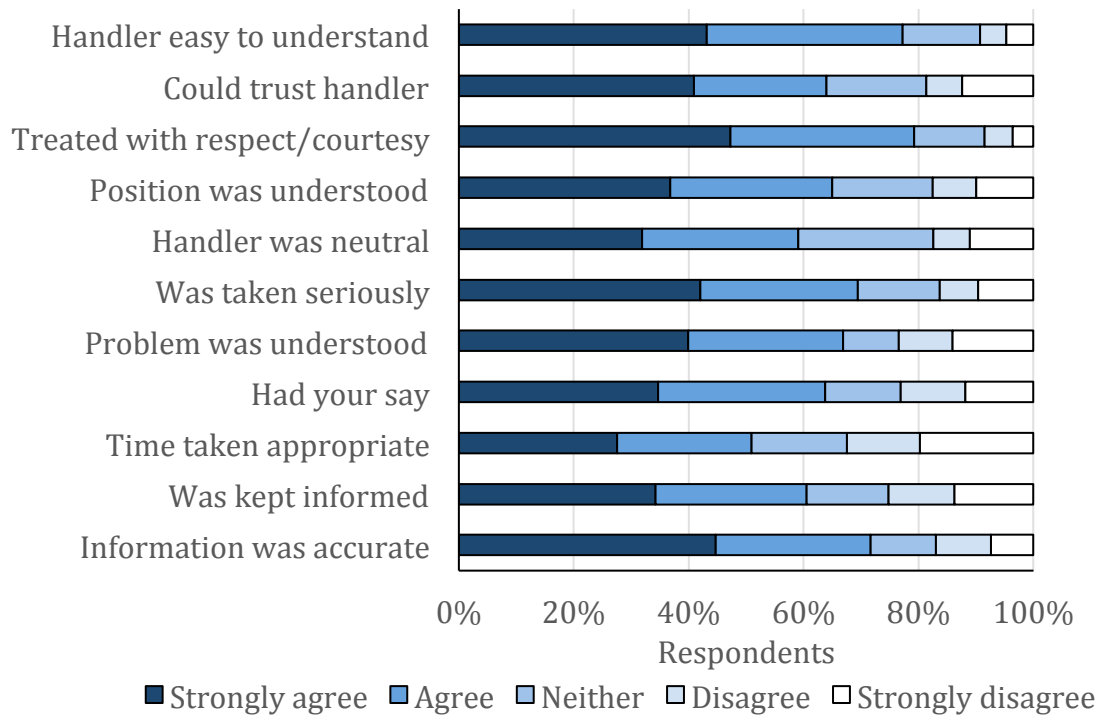




**Figure 12.** The extent to which respondents agreed or disagreed with statements relating to how their case was handled (prior to a final decision) (public)



**Figure 13.** The extent to which respondents agreed or disagreed with statements relating to how their case was handled (prior to a final decision) (all private)



**Figure 14.** The extent to which respondents agreed or disagreed with statements relating to how their case was handled (prior to a final decision) (private excluding FOS)

*Most common method of communication during the procedure*



For all ombudsmen in this report, respondents’ main method of communication during the procedure was email, followed by phone, and then letter.

For example, 180 LGO respondents; 213 PHSO respondents; 37 LeO respondents; 131 FOS respondents and 370 OS respondents chose email. There are some scheme specific contact choices, for example, LGO gives its users the option of text messaging and face-to-face (in some cases), which was taken up by 3 people in the sample. 11 participants of the sample contacted the ombudsmen through someone else.

### *Satisfaction with method of communication with the ombudsman*

The majority of respondents were happy with the method of communication they most commonly used with the ombudsman, with almost 80% 'very happy' or 'fairly happy' and removing FOS cases made only a small difference (Table 7). Again though, respondents were far less positive about public cases (Table 8), with only around a quarter 'very happy' compared to over 60% 'very happy' for private cases.

**Table 7.** The extent to which respondents were happy with their most common method of communication with the ombudsman (all respondents and excluding FOS)

|                | All respondents |      | Excluding FOS |      |
|----------------|-----------------|------|---------------|------|
|                | N               | %    | N             | %    |
| Very happy     | 782             | 59.7 | 645           | 57.9 |
| Fairly happy   | 256             | 19.6 | 223           | 20.0 |
| Neither        | 172             | 13.1 | 133           | 11.9 |
| Fairly unhappy | 69              | 5.3  | 68            | 6.1  |
| Very unhappy   | 31              | 2.3  | 46            | 4.1  |

**Table 8.** The extent to which respondents were happy with their most common method of communication with the ombudsman (public, all private and private excluding FOS)

|                | Public |      | Private - all |      | Private - no FOS |      |
|----------------|--------|------|---------------|------|------------------|------|
|                | N      | %    | N             | %    | N                | %    |
| Very happy     | 157    | 26.7 | 434           | 60.1 | 321              | 60.9 |
| Fairly happy   | 163    | 27.8 | 140           | 19.4 | 101              | 19.2 |
| Neither        | 154    | 26.2 | 94            | 13.0 | 55               | 10.4 |
| Fairly unhappy | 31     | 5.3  | 38            | 5.3  | 33               | 6.3  |
| Very unhappy   | 82     | 14.0 | 16            | 2.2  | 17               | 3.2  |

***People who expressed dissatisfaction with the method of communication gave the following reasons as to why:***

'I asked to 'talk' to someone and all I got was email.'

'I would have preferred to talk over the phone'

'although convenient, normal email is insecure'

'Prefer to be contacted by email not post'

'Emailing allows such people to be less formal with consequences for the respect and courtesy given.'

'I have no choice as I am in prison, sometimes a conversation is needed to solve a minor issue'

'I would prefer some one to hear my story'

'The investigator phoned me but this was irrelevant and I'd rather have just dealt with it by email'

'It is much easier under the circumstances to speak to the person, then they cannot pretend they do not understand. In an email they can run rings around you. After a conversation they can always confirm what has been discussed so that there is a record and if they still don't understand, a manager can step in.'

### *Number of times respondents contacted the ombudsman*

As shown in Table 9, the majority of respondents (71%) contacted the ombudsman 'up to 10' times, with this percentage increasing once FOS cases were removed (to 81%). Table 10 contrasts public and private schemes, showing somewhat less contact for those with public cases compared to private cases, until FOS cases are removed (FOS cases are associated with a higher number of ombudsman contacts).

**Table 9.** The number of times respondents contacted the ombudsman (all respondents and excluding FOS)

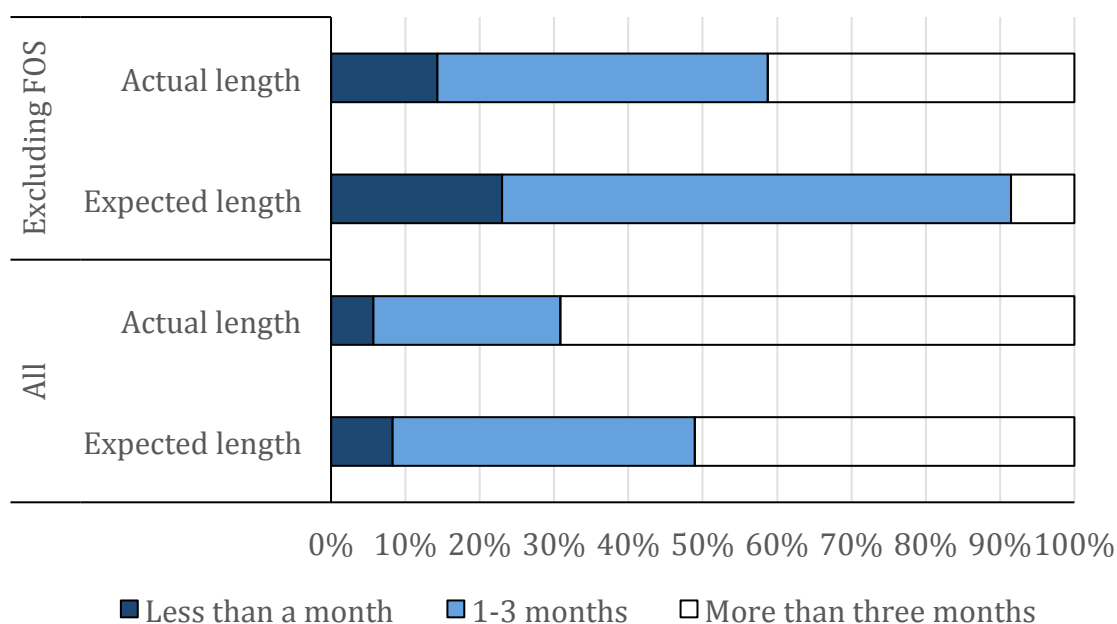
|                    | All respondents |      | Excluding FOS |      |
|--------------------|-----------------|------|---------------|------|
|                    | N               | %    | N             | %    |
| Up to 10           | 931             | 71.2 | 887           | 80.6 |
| Between 10 and 20  | 234             | 17.9 | 120           | 10.9 |
| More than 20 times | 71              | 5.5  | 47            | 4.3  |
| Not sure           | 71              | 5.4  | 46            | 4.2  |

**Table 10.** The number of times respondents contacted the ombudsman (public, all private and private excluding FOS)

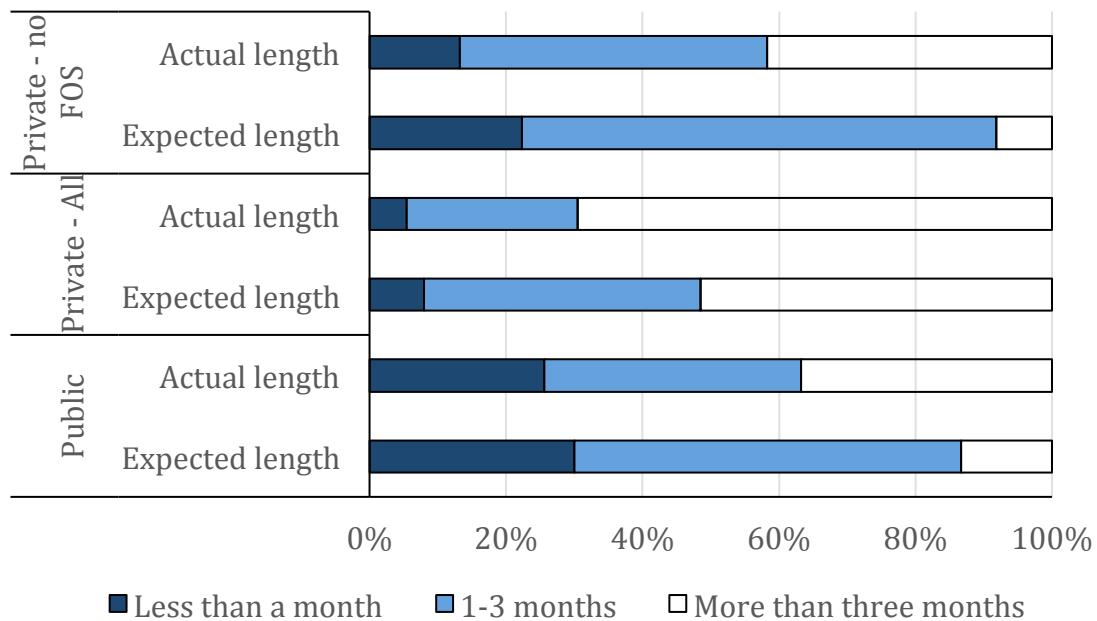
|                    | Public |      | Private - all |      | Private - no FOS |      |
|--------------------|--------|------|---------------|------|------------------|------|
|                    | N      | %    | N             | %    | N                | %    |
| Up to 10           | 429    | 77.0 | 513           | 71.2 | 423              | 81.0 |
| Between 10 and 20  | 52     | 9.3  | 130           | 18.0 | 58               | 11.1 |
| More than 20 times | 23     | 4.1  | 39            | 5.4  | 22               | 4.2  |
| Not sure           | 53     | 9.5  | 39            | 5.4  | 19               | 3.6  |

*Expected and actual length of the procedure*

Respondents were also asked how long they expected the procedure to take and how long it actually took. Figure 15 contrasts expected and actual length of procedure for all cases and excluding FOS. Figure 16 presents similar information for public sector, private sector and private cases excluding FOS. As shown in Figure 15, both expected and actual length of cases reduced once FOS cases were excluded. The actual length of cases was also longer than expected length whether or not FOS cases were excluded. A similar pattern emerged when contrasting public and private schemes, with a slight discrepancy between expected and actual length for all schemes. There were also some differences in both expected and actual length between public and private and depending on whether or not FOS cases were excluded.



**Figure 15.** Expected and actual length of procedure (all cases and excluding FOS)



**Figure 16.** Expected and actual length of procedure (public, all private and private excluding FOS)

*The following presents some examples of the range of respondents' comments on how their cases were dealt with:*

'The service was good but I felt that I was not kept informed about what was happening and had to wait for a response.'

'Excellent service by Ombudsman. Would highly recommend that more people used the service.'

'Case handler reasoning needed to be better explained and supported.'

'Full disclosure of relevant evidence. Don't introduce evidence in the final decision notice. Give the complainant an opportunity to respond.'

'My case was taken from the first contact with an open mind by the OS and I found that very reassuring.'

'The case handler was extremely efficient and helpful, while remaining neutral and objective. At no time was there any pre-judgement about the outcome or the firm.'

'The outcome seemed decided from the first response'

'Very happy with the outcome. More than I expected in fact. I am no longer worried about my utility bills becoming unmanageable'

'Very impressed. I was given a case reference, all my correspondence via email was acted on and when I did talk to someone on the phone they were sympathetic and helpful'

## 5. THE OUTCOME

### *Whether or not the outcome of case was favourable*

Table 11 shows the outcome of procedures for all cases and excluding FOS cases. The majority of respondents suggested that the outcome of the procedure was in their favour. There were also some differences once FOS was removed from analysis, with a slight increase in the percentage of favourable or partially favourable outcomes and a decrease in unfavourable outcomes. Table 12 shows the outcome for public cases, private cases and private cases excluding FOS. As can be seen, there were stark differences between public and private schemes, with respondents reporting a favourable outcome for only 11% of public cases, compared to 53% of private cases (or 62% having removed FOS cases).

**Table 11.** Whether the outcome of cases was in respondents' favour (all respondents and excluding FOS)

|           | All respondents |      | Excluding FOS |      |
|-----------|-----------------|------|---------------|------|
|           | N               | %    | N             | %    |
| Yes       | 682             | 52.1 | 636           | 57.0 |
| No        | 450             | 34.4 | 239           | 21.4 |
| Partially | 107             | 8.2  | 162           | 14.5 |
| Not sure  | 71              | 5.4  | 78            | 7.0  |

**Table 12.** Whether the outcome of cases was in respondents' favour (public, all private and private excluding FOS)

|           | Public |      | Private - all |      | Private – no FOS |      |
|-----------|--------|------|---------------|------|------------------|------|
|           | N      | %    | N             | %    | N                | %    |
| Yes       | 63     | 10.7 | 380           | 52.6 | 325              | 61.7 |
| No        | 369    | 62.8 | 245           | 33.9 | 92               | 17.5 |
| Partially | 53     | 9.0  | 59            | 8.2  | 79               | 15.0 |
| Not sure  | 103    | 17.5 | 38            | 5.3  | 31               | 5.9  |

Respondents were also asked to explain in their own words why they characterised the outcome as favourable, unfavourable, partially favourable or unsure. The following provides some excerpts of justification of the chosen answers.

***Outcome in favour***

'All points fully covered'

'Apology, explanation and compensation'

'Because Npower agreed it was their failure and they had taken money from me that was not owed.'

'I presume FOS were able to obtain my PPI payment records from dates before the earliest date Lloyds TSB had claimed they possessed, and that FOS were therefore able to determine the correct sum to which I was entitled.'

'I think it was in my favour but to be honest, the wording was ambiguous and typically "without prejudice" speak. Though the response from npower was better.'

'nPower were deeply apologetic when the OS represented the energy market from the customer perspective for once.'



### ***Outcome not in favour***

'According to the ombudsman it was my fault that I did not contact Tesco's to ask where my statement was but as far as I was concerned I had paid off any debt and when I finally received a letter confirming change of address, I wrongly assumed everything was ok.'

'Because no government agency agrees that it falls within their jurisdiction'

'Because the LGO decided not to investigate the complaint.'

'Because they didn't listen to the facts. Now they've been challenged, with risk of legal action, they may be "helping", but as they have never helped before, I'm dubious they will help now.'

'They simply didn't understand.'

### ***Outcome partially in favour***

'A small sum of compensation was paid - not one that I agreed with but one which the Ombudsman felt was appropriate and I didn't'

'I accepted the finding that the service delivered fell below the standard I could reasonably expect. However, I did not accept the basis on which the decision was reached. The Ombudsman relied heavily on the information provided by the firm - which was inaccurate.'

'I was happy with the outcome, but then the energy company ignored the ombudsman service instructions until the company decided they wanted to do something about.'

'Many of the things I consider to be reasonable (eg having missing SP produce the missing bills) the Ombudsman could not enforce'

## Outcome not sure

'Because everything seemed to take so long, I couldn't be bothered to supply all new paperwork and a lot of the problems Lloyds caused me I found it hard to write it in an email. I would rather have spoken to the handler but she didn't want to be bothered.so I gave up and Lloyds got away with leaving me without money for 3 weeks.'

'I gave up with them, they should have told me from the start that seven months later I would still be waiting for my investigation to start. The parliamentary and health ombudsman should be shut down and something else in its place.'

## *The extent to which the outcome was as expected*

Respondents were asked the extent to which they felt that the outcome was as expected. More than half of the respondents felt that the outcome was 'exactly as expected' or 'close to expected'. However, over 10% were 'not sure' and more than a third suggested it was 'not at all as expected'. Findings were broadly comparable once FOS cases were excluded, though there was a somewhat higher percentage suggesting the outcome was 'close to expected'. Table 13 shows the extent to which respondents felt that the outcome was as expected for all cases and excluding FOS. Table 14 also shows whether or not respondents' outcome expectations were met, for public and private schemes. As shown, outcomes were far less likely to be as expected for public schemes than for private schemes (57% 'not at all what I expected' for public, compared to 30% for private). There was also a greater level of uncertainty regarding expectations for public cases.

**Table 13.** The extent to which respondents suggested that outcomes were as expected (all respondents and excluding FOS)

|                            | All respondents |      | Excluding FOS |      |
|----------------------------|-----------------|------|---------------|------|
|                            | N               | %    | N             | %    |
| Exactly what I expected    | 385             | 29.4 | 306           | 27.4 |
| Close to what I expected   | 322             | 24.6 | 343           | 30.8 |
| Not sure what I expected   | 145             | 11.1 | 108           | 9.7  |
| Not at all what I expected | 458             | 34.9 | 358           | 32.1 |

**Table 14.** The extent to which respondents suggested that outcomes were as expected (public, all private and private excluding FOS)

|                            | Public |      | Private - all |      | Private - no FOS |      |
|----------------------------|--------|------|---------------|------|------------------|------|
|                            | N      | %    | N             | %    | N                | %    |
| Exactly what I expected    | 67     | 11.4 | 214           | 29.6 | 153              | 29.0 |
| Close to what I expected   | 78     | 13.3 | 179           | 24.8 | 171              | 32.4 |
| Not sure what I expected   | 106    | 18.0 | 79            | 10.9 | 47               | 8.9  |
| Not at all what I expected | 337    | 57.3 | 250           | 34.6 | 156              | 29.6 |

As for whether or not the outcome was favourable (above), respondents were also asked to rationalise their views on the extent to which outcomes were as expected.

### Exactly what I expected

'After reading about previous decisions and the time taken in my individual case the true protective role of the ombudsman for the authority was not unexpected.'

'Because I think my case was a reasonable one.'

'FOS were able to secure a compensation payment that was significantly higher than the 'full and final offer' previously presented by Lloyds TSB for my consideration.'

### Close to what I expected

'A better understanding of my predicament and case would have led to a better and more realistic conclusion.'

'Didn't expect compensation payment for the hassle.'

'Got compensation and reimbursement which I did not expect but still can't give readings of this meter so that aspect still not resolved'

### **Not sure what I expected**

'As previously stated, I was hoping for an outcome, which involved something other than being paid off...'

'Having never been in this situation before I didn't know what to expect!'

'I expected more help to be honest, feels like Ombudsman are just in league with the banks and allow them to get away with whatever they like'

'The process and authority of the Ombudsman was never really clear until the offer of a binding decision'

### **Not at all what I expected**

'I expected an independent investigation where there was not a conflict of interest.'

'The ombudsman either failed to understand the complaint, or, in my opinion was biased towards the legal firm.'

'Because the Ombudsman is seen to agree without legal issues being resolved the situation causes the victim to remain vulnerable and without recourse to justice. Not the true purpose an Ombudsman was originally installed under the Act of Parliament. Year 200?'

'I expected a full investigation, and just didn't get it.'

## *Accepting the outcome*

Having obtained an outcome, the majority of respondents (over 60%) were either 'very willing' or 'fairly willing' to accept it, with findings broadly similar having removed FOS cases (Table 15). However, contrasting public and private schemes highlighted huge differences (Table 16), with respondents with public cases far less likely than those with private cases to accept the outcome. Only 10% of respondents with public cases were 'very willing' to accept the outcome, compared to 42% for private cases. Conversely, 51% of respondents with public cases were 'very unwilling' compared to 22% for all private cases.

**Table 15.** The extent to which respondents were willing to accept the outcome of their case (all respondents and excluding FOS)

|                  | All respondents |      | Excluding FOS |      |
|------------------|-----------------|------|---------------|------|
|                  | N               | %    | N             | %    |
| Very willing     | 544             | 41.5 | 500           | 44.8 |
| Fairly willing   | 265             | 20.2 | 207           | 18.6 |
| Neither          | 143             | 10.9 | 96            | 8.6  |
| Fairly unwilling | 60              | 4.6  | 49            | 4.4  |
| Very unwilling   | 297             | 22.7 | 263           | 23.6 |

**Table 16.** The extent to which respondents were willing to accept the outcome of their case (public, all private and private excluding FOS)

|                  | Public |      | Private - all |      | Private - no FOS |      |
|------------------|--------|------|---------------|------|------------------|------|
|                  | N      | %    | N             | %    | N                | %    |
| Very willing     | 56     | 9.5  | 303           | 42.0 | 255              | 48.4 |
| Fairly willing   | 48     | 8.1  | 147           | 20.4 | 103              | 19.5 |
| Neither          | 131    | 22.2 | 78            | 10.8 | 38               | 7.2  |
| Fairly unwilling | 51     | 8.7  | 33            | 4.6  | 21               | 4.0  |
| Very unwilling   | 303    | 51.4 | 161           | 22.3 | 110              | 20.9 |

## *Plan if unwilling to accept outcome*

Where respondents were unwilling to accept the outcome (which was particularly common for public sector cases (see above)), they were asked what they planned to do next. A significant percentage (over a quarter) suggested that they would take no further action, while over 40% gave an 'other' response (Table 17), which they were then invited to specify. Excluding FOS changed the picture to some extent, with an increase in the percentage suggesting that they would go to court or involve a lawyer and a decrease in 'other' responses. Table 18 contrasts public and private schemes (with and without FOS). As can be seen, there were some variations by scheme, with the highest percentage intending to 'write to their MP' among public sector cases and particularly high intended court use for private cases once FOS was removed.

**Table 17.** What respondents who were unwilling to accept their case outcome planned to do next (all respondents and excluding FOS)

|                        | All respondents |      | Excluding FOS |      |
|------------------------|-----------------|------|---------------|------|
|                        | N               | %    | N             | %    |
| Court                  | 51              | 8.8  | 67            | 14.1 |
| Involve lawyer         | 24              | 4.2  | 44            | 9.2  |
| Write to MP            | 59              | 10.1 | 43            | 8.9  |
| Take no further action | 161             | 27.4 | 134           | 28.2 |
| Involve another body   | 41              | 7.0  | 40            | 8.5  |
| Other                  | 250             | 42.6 | 147           | 31.0 |

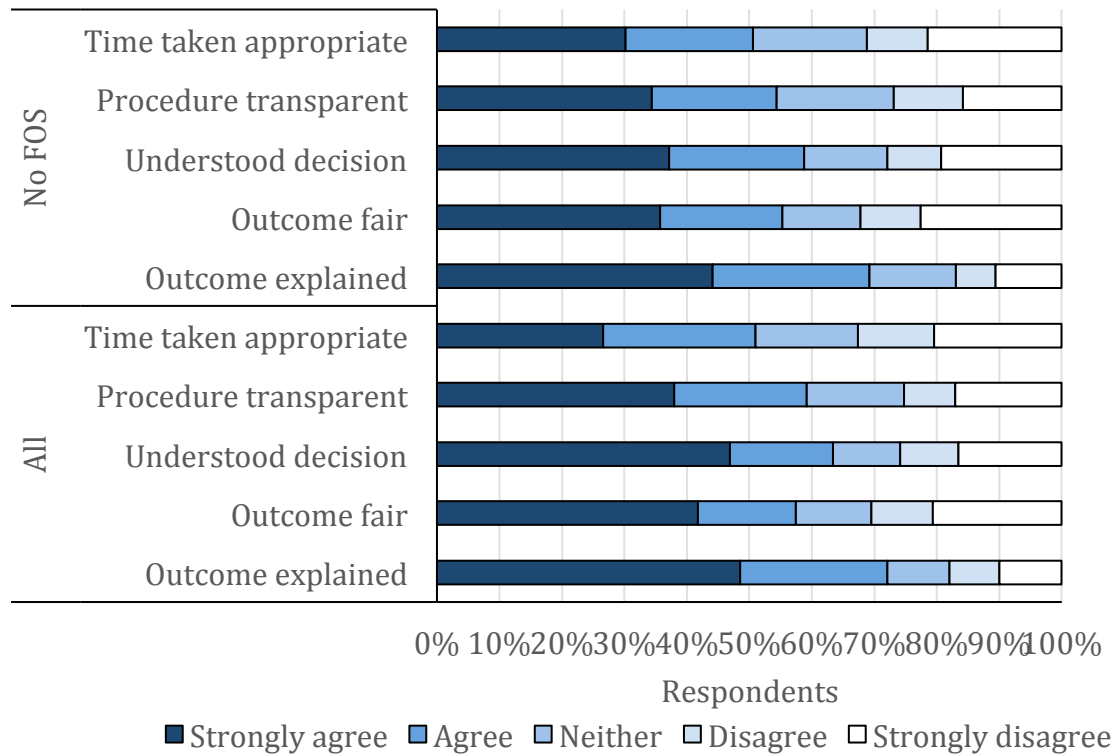
**Table 18.** What respondents who were unwilling to accept their case outcome planned to do next (public, all private and private excluding FOS)

|                        | Public |      | Private - all |      | Private - no FOS |      |
|------------------------|--------|------|---------------|------|------------------|------|
|                        | N      | %    | N             | %    | N                | %    |
| Court                  | 39     | 8.1  | 28            | 8.8  | 31               | 15.2 |
| Involve lawyer         | 43     | 9.0  | 13            | 4.1  | 19               | 9.3  |
| Write to MP            | 74     | 15.4 | 32            | 10.0 | 16               | 7.8  |
| Take no further action | 96     | 20.0 | 88            | 27.5 | 61               | 29.9 |
| Involve another body   | 45     | 9.4  | 22            | 6.9  | 17               | 8.3  |
| Other                  | 182    | 38.0 | 137           | 42.8 | 60               | 29.4 |

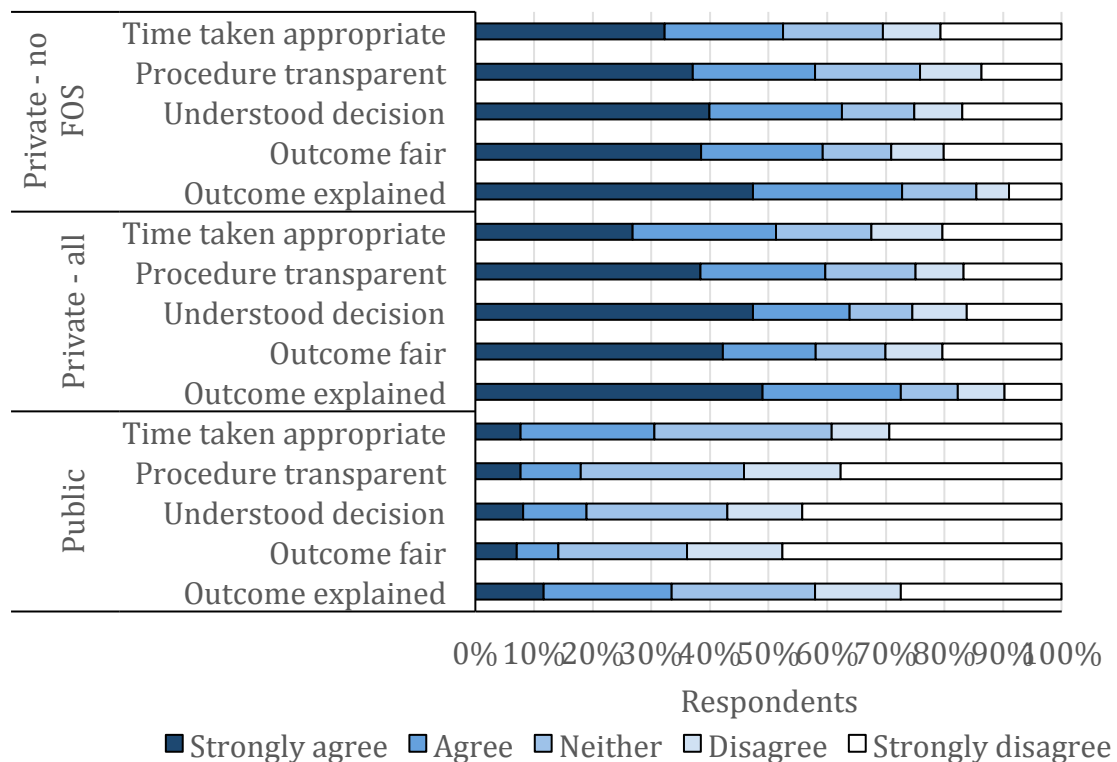
### *Respondents' views on case outcome*

Respondents were presented with five statements relating to their case outcome and asked the extent to which they agreed or disagreed with them. Figure 17 shows respondents' views for all cases and excluding FOS cases, with Figure 18 showing views for public sector cases, all private sector cases and private cases excluding FOS. As shown in Figure 17, respondents were least likely to agree that the time taken was appropriate and most likely to agree that the outcome was explained clearly to them. The pattern of responses was broadly comparable whether or not FOS cases were excluded.

Comparing public and private schemes, however, once again highlighted stark differences, with respondents being far more negative about case outcomes for public cases: as shown in Figure 18, levels of agreement were far lower across all five statements.



**Figure 17.** Respondents' views on various aspects of their case outcome (all respondents and excluding FOS)



**Figure 18.** Respondents' views on various aspects of their case outcome (public, all private and private excluding FOS)

### *Whether or not respondents felt that others would receive a similar outcome*

Table 19 shows whether or not respondents felt that others with a similar complaint would receive the same outcome, for all cases and excluding FOS cases. Table 20 presents a similar output, but for public cases, all private cases and private cases excluding FOS. As can be seen in Table 19, almost two-thirds felt that others would receive a similar outcome ('yes' or 'likely'), though there was also over a quarter who were unsure. The pattern was much the same once FOS cases were removed. There were some modest differences between public and private schemes (Table 20), with, for example, a lower percentage of respondents suggesting a similar outcome was 'likely' for public cases.

**Table 19.** Whether or not respondents felt that others with a similar complaint would receive the same outcome (all respondents and excluding FOS)

|              | All respondents |      | Excluding FOS |      |
|--------------|-----------------|------|---------------|------|
|              | N               | %    | N             | %    |
| Yes          | 429             | 32.8 | 362           | 32.5 |
| Likely       | 425             | 32.5 | 338           | 30.3 |
| Not sure     | 364             | 27.8 | 353           | 31.6 |
| Probably not | 48              | 3.7  | 46            | 4.2  |
| No           | 43              | 3.3  | 17            | 1.5  |

**Table 20.** Whether or not respondents felt that others with a similar complaint would receive the same outcome (public, all private and private excluding FOS)

|              | Public |      | Private - all |      | Private - no FOS |      |
|--------------|--------|------|---------------|------|------------------|------|
|              | N      | %    | N             | %    | N                | %    |
| Yes          | 213    | 36.2 | 236           | 32.7 | 169              | 32.1 |
| Likely       | 109    | 18.5 | 236           | 32.7 | 166              | 31.5 |
| Not sure     | 195    | 33.2 | 200           | 27.7 | 166              | 31.5 |
| Probably not | 32     | 5.4  | 26            | 3.6  | 21               | 4.0  |
| No           | 39     | 6.6  | 24            | 3.3  | 5                | 0.9  |

### *Whether or not respondents felt that they had any control over the outcome*

Respondents were also asked about the extent to which they felt they had any control over the outcome of their case. Overall (Table 21) two-thirds suggested 'probably not' or 'no', though respondents felt they had a greater level of control once FOS cases were excluded. Comparing public and private schemes (Table 22) showed that respondents felt they had least control (by far) over the outcome of public cases, with only 5% suggesting they had control and 69% suggesting that they did not. This compared to 12% saying 'yes' and 44% saying



'no' for all private cases, and 32% responding 'yes' and 32% no for private cases excluding FOS.

**Table 21.** The extent to which respondents felt they had any control over the outcome of their case (all respondents and excluding FOS)

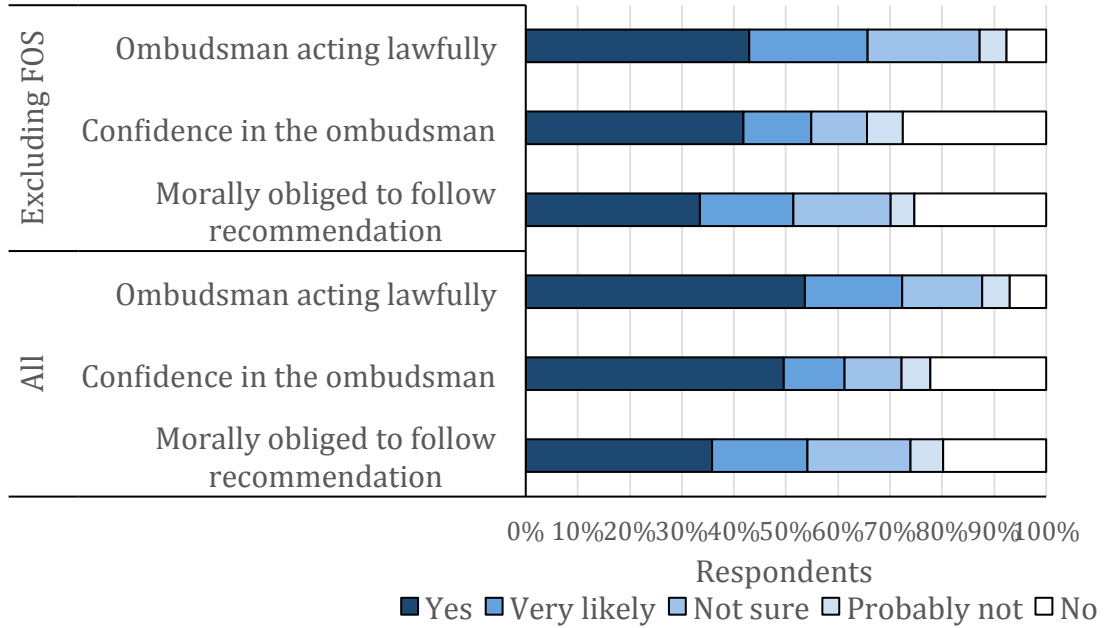
|              | All respondents |      | Excluding FOS |      |
|--------------|-----------------|------|---------------|------|
|              | N               | %    | N             | %    |
| Yes          | 159             | 12.1 | 229           | 20.6 |
| Likely       | 116             | 8.8  | 108           | 9.7  |
| Not sure     | 167             | 12.7 | 207           | 18.6 |
| Probably not | 284             | 21.7 | 179           | 16.0 |
| No           | 585             | 44.6 | 392           | 35.2 |

**Table 22.** The extent to which respondents felt they had any control over the outcome of their case (public, all private and private excluding FOS)

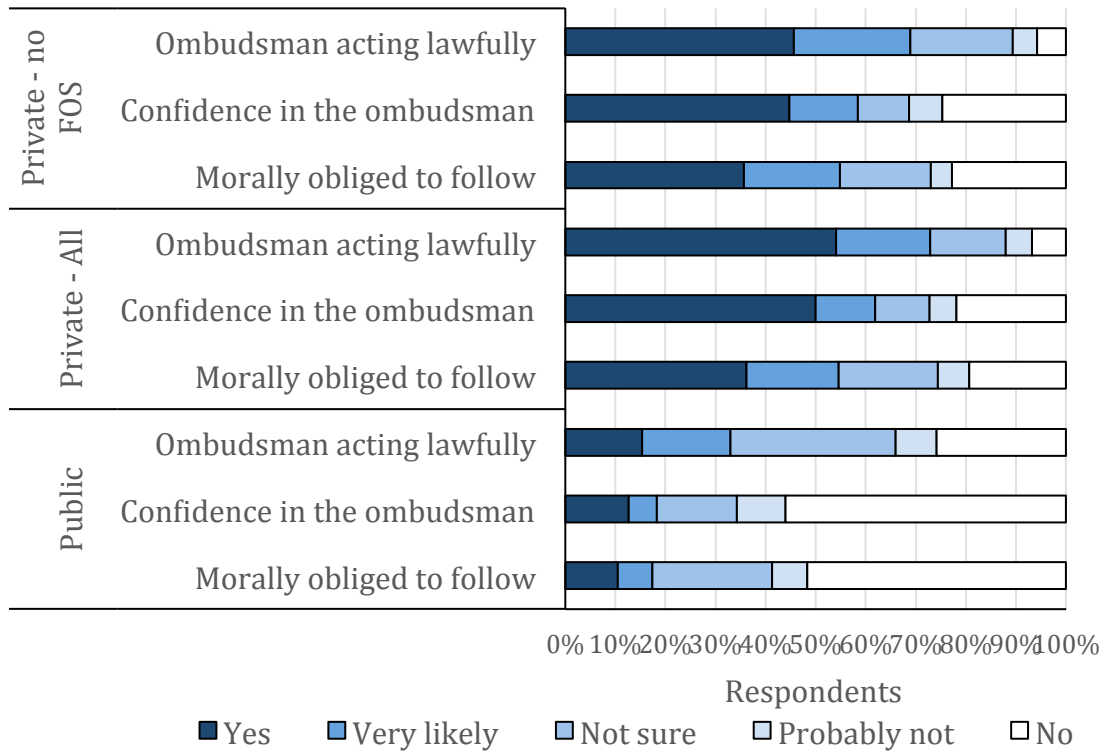
|              | Public |      | Private - all |      | Private - no FOS |      |
|--------------|--------|------|---------------|------|------------------|------|
|              | N      | %    | N             | %    | N                | %    |
| Yes          | 28     | 4.8  | 88            | 12.2 | 117              | 22.2 |
| Likely       | 16     | 2.7  | 64            | 8.9  | 54               | 10.2 |
| Not sure     | 68     | 11.5 | 92            | 12.8 | 102              | 19.4 |
| Probably not | 73     | 12.4 | 157           | 21.8 | 86               | 16.3 |
| No           | 404    | 68.6 | 320           | 44.4 | 168              | 31.9 |

### *Perceived lawfulness, confidence and accepting recommendations*

Respondents were asked about the extent to which they felt that the ombudsman had acted according to the law, the extent to which they had confidence in the ombudsman and the extent to which they felt morally obliged to follow the ombudsman's recommendation. Figure 19 summarises respondents' views for all respondents and excluding FOS. Figure 20 presents views for public cases, all private cases and private cases excluding FOS. As shown in Figure 19, the majority of respondents felt that the ombudsman was acting according to the law. Comparatively, respondents were marginally less positive regarding their confidence in the ombudsman (though the majority were still confident or 'very likely' to be confident in the ombudsman) and slightly less positive still in their moral obligations to follow recommendations. Removing FOS cases reduced the percentage agreeing across all three statements. Comparing public and private schemes (Figure 20) once again highlighted very large differences, with respondents with public cases far less positive than those with private cases in respect to all three statements.



**Figure 19.** Respondents’ views on the extent to which the ombudsman acted according to the law, their confidence in the ombudsman and the extent to which they felt morally obliged to follow recommendations (all cases and excluding FOS)



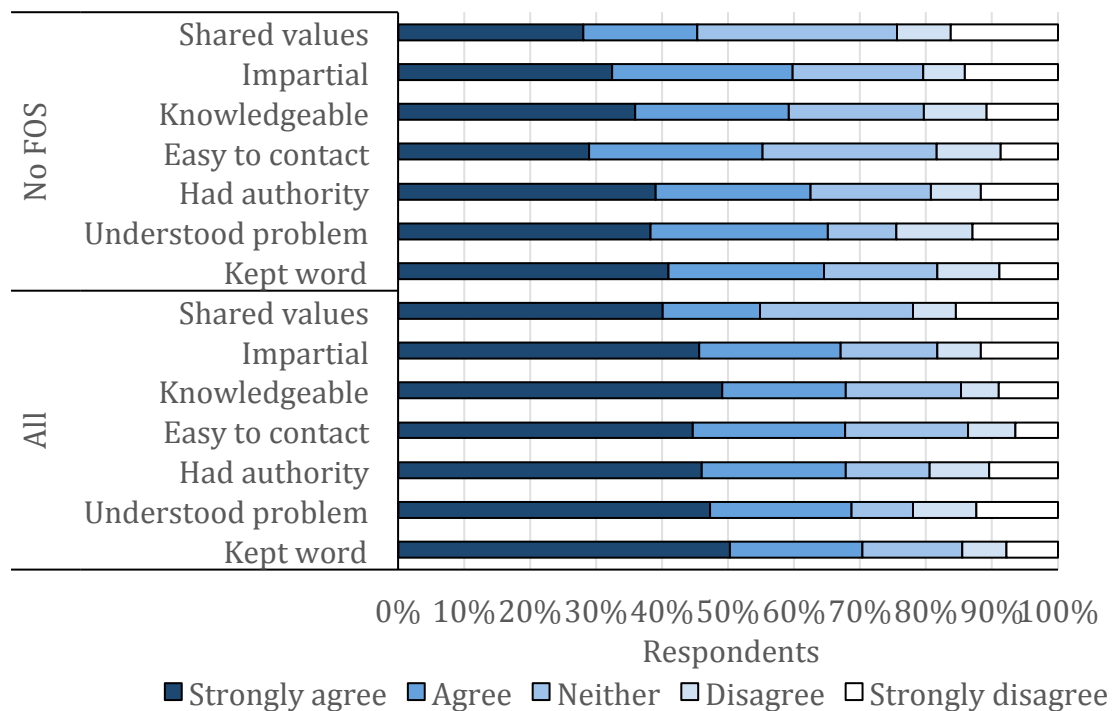
**Figure 20.** Respondents’ views on the extent to which the ombudsman acted according to the law, their confidence in the ombudsman and the extent to which they felt morally obliged to follow recommendations (public, all private and private excluding FOS)

## 6. OVERALL EXPERIENCE WITH THE OMBUDSMAN

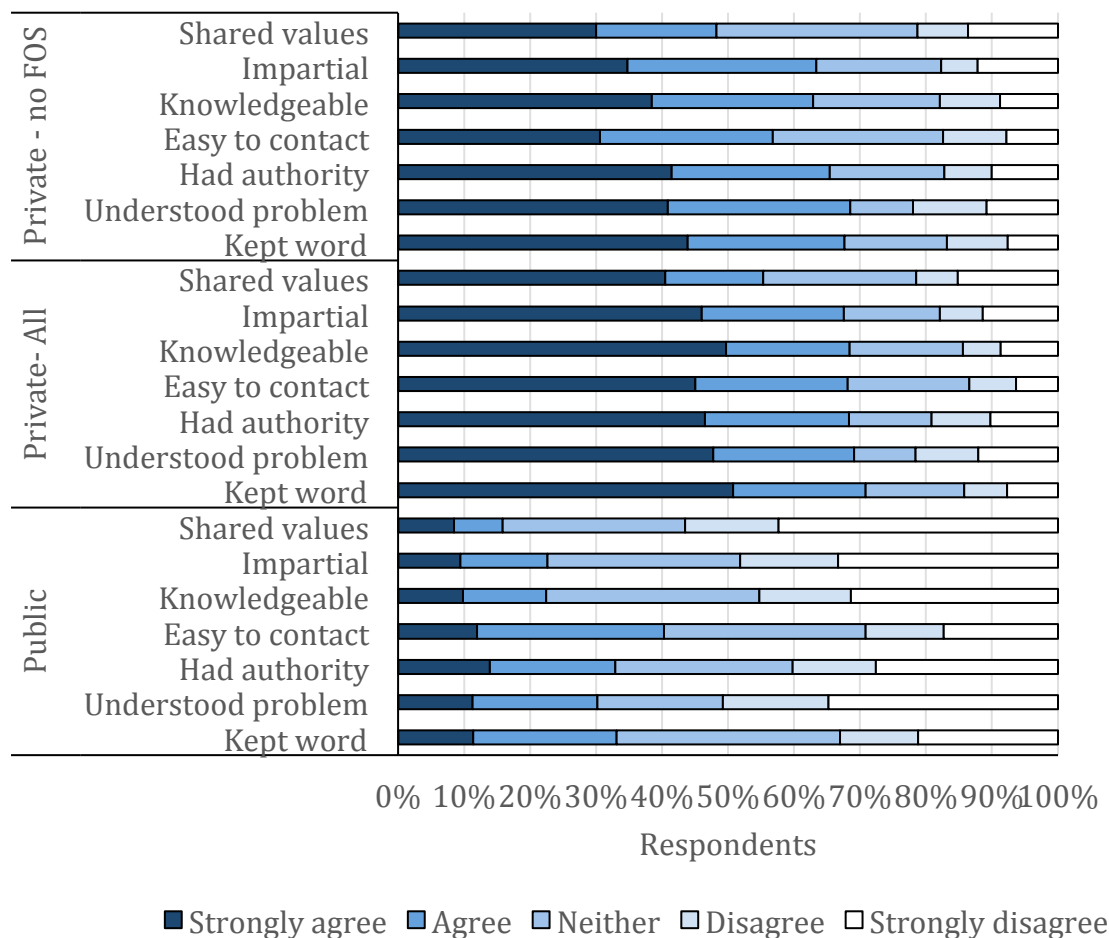
### *Views on the people who dealt with respondents' complaints*

Survey respondents were asked the extent to which they agreed or disagreed with seven characteristics of the people who dealt with their complaint. Their responses are shown in Figure 21 for all respondents and excluding FOS cases. As shown in Figure 21, respondents were predominantly positive about the people who dealt with their complaints. Responses were also fairly consistent across the different characteristics, though levels of agreement were at their highest for 'always did what they said they would' ('kept word' in Figure 21) and lowest for 'the people dealing with my case seemed to have the same sense of right and wrong as I do' ('shared values' in Figure 21). Excluding FOS showed a broadly similar pattern, with respondents' views reasonably consistent across characteristics, most agreement for 'kept word', and least agreement for 'shared values'. However, respondents were somewhat less likely to agree in regard to all of the characteristics once FOS was removed.

Figure 22 presents comparable information for public cases, all private cases and private cases excluding FOS. As can be seen public/private differences were huge, with respondents being far more negative (and less likely to agree) across all of the seven characteristics.



**Figure 21.** Respondents' views on various characteristics of the people who dealt with their complaints (all respondents and excluding FOS)



**Figure 22.** Respondents’ views on various characteristics of the people who dealt with their complaints (public, all private and private excluding FOS)

***Fairness, recommendation and overall satisfaction***

Survey respondents were asked about their overall impressions of the ombudsman procedure, including being asked to assess its fairness, whether they would recommend it to others and the extent to which they were satisfied with the ombudsman. Looking at respondents’ overall impressions of the ombudsman, the majority felt that the procedure was either ‘somewhat fair’ or ‘very fair’ (60.4% overall or 53.4% excluding FOS), as shown in Table 23. Conversely, around a quarter felt the procedure was ‘somewhat unfair’ or ‘very unfair’. Contrasting public and private schemes (Table 24) once again showed very significant differences in responses and far more negative responses from those in public schemes compared to private schemes. Overall, 57% of those in public schemes felt the procedure was ‘somewhat unfair’ or ‘very unfair’. This compared to a quarter of those in private schemes and 21% of those in private schemes once FOS was removed.

**Table 23.** Respondents' perceptions of the fairness of the ombudsman procedure (all respondents and excluding FOS)

|                 | All respondents |      | Excluding FOS |      |
|-----------------|-----------------|------|---------------|------|
|                 | N               | %    | N             | %    |
| Very fair       | 595             | 45.4 | 452           | 40.5 |
| Somewhat fair   | 197             | 15.0 | 144           | 12.9 |
| Not sure        | 186             | 14.2 | 252           | 22.6 |
| Somewhat unfair | 114             | 8.7  | 93            | 8.4  |
| Very unfair     | 219             | 16.7 | 174           | 15.6 |

**Table 24.** Respondents' perceptions of the fairness of the ombudsman procedure (public, all private and private excluding FOS)

|                 | Public |      | Private - all |      | Private - no FOS |      |
|-----------------|--------|------|---------------|------|------------------|------|
|                 | N      | %    | N             | %    | N                | %    |
| Very fair       | 51     | 8.7  | 331           | 45.9 | 230              | 43.6 |
| Somewhat fair   | 38     | 6.5  | 109           | 15.1 | 71               | 13.5 |
| Not sure        | 166    | 28.2 | 101           | 14.0 | 116              | 22.0 |
| Somewhat unfair | 77     | 13.1 | 62            | 8.6  | 42               | 8.0  |
| Very unfair     | 257    | 43.6 | 118           | 16.4 | 68               | 12.9 |

Respondents were then asked whether they would recommend the ombudsman to somebody in a similar situation (Table 25). As can be seen, the majority of respondents were likely to recommend the ombudsman, though views were somewhat less positive once FOS was excluded. Comparing public to private (Table 26) again revealed huge differences, with those in public schemes far less likely to recommend them when contrasted with those in private schemes (regardless of whether or not FOS cases were excluded).

**Table 25.** The extent to which respondents would recommend the ombudsman to others (all respondents and excluding FOS)

|               | All respondents |      | Excluding FOS |      |
|---------------|-----------------|------|---------------|------|
|               | N               | %    | N             | %    |
| Very likely   | 744             | 56.8 | 553           | 49.6 |
| Likely        | 139             | 10.6 | 144           | 13.0 |
| Not sure      | 83              | 6.3  | 82            | 7.3  |
| Unlikely      | 91              | 7.0  | 64            | 5.7  |
| Very unlikely | 253             | 19.3 | 272           | 24.4 |

**Table 26.** The extent to which respondents would recommend the ombudsman to others (public, all private and private excluding FOS)

|               | Public |      | Private - all |      | Private – no FOS |      |
|---------------|--------|------|---------------|------|------------------|------|
|               | N      | %    | N             | %    | N                | %    |
| Very likely   | 87     | 14.8 | 141           | 57.3 | 279              | 52.9 |
| Likely        | 51     | 8.7  | 77            | 10.7 | 71               | 13.5 |
| Not sure      | 72     | 12.2 | 45            | 6.2  | 36               | 6.8  |
| Unlikely      | 68     | 11.5 | 50            | 6.9  | 27               | 5.1  |
| Very unlikely | 311    | 52.8 | 136           | 18.8 | 114              | 21.6 |

Respondents were also asked about general satisfaction with the ombudsman (Table 27). Again, respondents were predominantly positive, with over 60% ‘somewhat satisfied’ or ‘very satisfied’. As with recommendations above, respondents were slightly less positive once FOS had been removed. Table 28 presents similar information, contrasting public, all private and private (excluding FOS) ombudsmen. As with perceptions of fairness and likelihood of recommendation above, those in public schemes were far more negative than those in private schemes regarding general satisfaction with the ombudsman. For example, less than 10% were ‘very satisfied’ compared to almost 50% in private schemes, while 58% were ‘very dissatisfied’ compared to only 22% in private schemes.

**Table 27.** Respondents’ overall satisfaction with the ombudsman (all respondents and excluding FOS)

|                       | All respondents |      | Excluding FOS |      |
|-----------------------|-----------------|------|---------------|------|
|                       | N               | %    | N             | %    |
| Very satisfied        | 640             | 48.9 | 485           | 43.5 |
| Somewhat satisfied    | 194             | 14.8 | 161           | 14.4 |
| Not sure              | 60              | 4.6  | 51            | 4.6  |
| Somewhat dissatisfied | 122             | 9.3  | 108           | 9.7  |
| Very dissatisfied     | 293             | 22.4 | 310           | 27.8 |

**Table 28.** Respondents’ overall satisfaction with the ombudsman (public, all private and private excluding FOS)

|                       | Public |      | Private - all |      | Private – no FOS |      |
|-----------------------|--------|------|---------------|------|------------------|------|
|                       | N      | %    | N             | %    | N                | %    |
| Very satisfied        | 55     | 9.4  | 357           | 49.4 | 247              | 47.0 |
| Somewhat satisfied    | 57     | 9.7  | 107           | 14.8 | 78               | 14.8 |
| Not sure              | 60     | 10.2 | 33            | 4.6  | 21               | 4.0  |
| Somewhat dissatisfied | 75     | 12.8 | 67            | 9.3  | 49               | 9.3  |
| Very dissatisfied     | 341    | 58.0 | 158           | 21.9 | 131              | 24.9 |

## 7. DEMOGRAPHICS

Overall, 847 of 1,287 (65.8%) of respondents' gender was specified male. After removing FOS cases, this fell slightly to 688 of 1,077 (63.9%). 323 of 558 (57.9%) respondents in public schemes were male, compared to 468 of 710 (65.9%) in private schemes and 329 of 510 (64.5%) in private schemes excluding FOS.

Table 29 shows respondents' employment status (where known) for all respondents and excluding FOS. Table 30 shows respondents' employment status for public schemes, private schemes and private schemes excluding FOS.

**Table 29.** Respondents' employment status (all respondents and excluding FOS)

|                                      | All respondents |      | Excluding FOS |      |
|--------------------------------------|-----------------|------|---------------|------|
|                                      | N               | %    | N             | %    |
| Employed                             | 597             | 47.0 | 467           | 43.1 |
| Self-employed                        | 131             | 10.3 | 131           | 12.1 |
| Studying                             | 7               | 0.5  | 7             | 0.6  |
| Retired                              | 429             | 33.8 | 363           | 33.5 |
| Unable to work                       | 45              | 3.6  | 30            | 2.8  |
| Out of work and looking for work     | 21              | 1.6  | 22            | 2.0  |
| Out of work and not looking for work | 1               | 0.1  | 5             | 0.5  |
| Homemaker                            | 5               | 0.4  | 29            | 2.7  |
| Other                                | 34              | 2.6  | 29            | 2.6  |

**Table 30.** Respondents' employment status (public, all private and private excluding FOS)

|                                      | Public |      | Private - all |      | Private - no FOS |      |
|--------------------------------------|--------|------|---------------|------|------------------|------|
|                                      | N      | %    | N             | %    | N                | %    |
| Employed                             | 180    | 32.4 | 330           | 47.2 | 226              | 44.2 |
| Self-employed                        | 74     | 13.3 | 72            | 10.3 | 61               | 11.9 |
| Studying                             | 4      | 0.7  | 4             | 0.6  | 3                | 0.6  |
| Retired                              | 183    | 33.0 | 237           | 33.9 | 172              | 33.7 |
| Unable to work                       | 41     | 7.4  | 25            | 3.6  | 12               | 2.3  |
| Out of work and looking for work     | 24     | 4.3  | 11            | 1.6  | 9                | 1.8  |
| Out of work and not looking for work | 2      | 0.4  | 0             | 0.0  | 2                | 0.4  |
| Homemaker                            | 18     | 3.2  | 2             | 0.3  | 14               | 2.7  |
| Other                                | 29     | 5.2  | 18            | 2.6  | 12               | 2.3  |

Table 31 shows respondents' highest educational qualification (where known) for all respondents and excluding FOS. Table 32 shows respondents'

highest educational qualification for public schemes, private schemes and private schemes excluding FOS.

**Table 31.** Respondents' highest educational qualification (all respondents and excluding FOS)

|                                      | All respondents |      | Excluding FOS |      |
|--------------------------------------|-----------------|------|---------------|------|
|                                      | N               | %    | N             | %    |
| 1-4 GCSEs (or equivalent)            | 105             | 8.7  | 73            | 7.4  |
| 5 or more GCSEs (or equivalent)      | 107             | 8.9  | 87            | 8.8  |
| Two or more A-levels (or equivalent) | 147             | 12.3 | 83            | 8.4  |
| Skills for life                      | 50              | 4.1  | 20            | 2.1  |
| Diploma or equivalent                | 157             | 13.1 | 148           | 15.0 |
| Bachelor's degree                    | 317             | 26.5 | 311           | 31.5 |
| Master's degree                      | 135             | 11.3 | 192           | 19.5 |
| Doctoral degree                      | 74              | 6.2  | 29            | 2.9  |
| Other                                | 106             | 8.8  | 45            | 4.5  |

**Table 32.** Respondents' highest educational qualification (public, all private and private excluding FOS)

|                                      | Public |      | Private - all |      | Private - no FOS |      |
|--------------------------------------|--------|------|---------------|------|------------------|------|
|                                      | N      | %    | N             | %    | N                | %    |
| 1-4 GCSEs (or equivalent)            | 33     | 6.5  | 55            | 8.8  | 35               | 7.5  |
| 5 or more GCSEs (or equivalent)      | 47     | 9.3  | 59            | 8.9  | 41               | 8.8  |
| Two or more A-levels (or equivalent) | 49     | 9.6  | 81            | 12.3 | 39               | 8.3  |
| Skills for life                      | 9      | 1.8  | 28            | 4.2  | 10               | 2.1  |
| Diploma or equivalent                | 87     | 17.1 | 86            | 13.0 | 69               | 14.7 |
| Bachelor's degree                    | 131    | 25.8 | 175           | 26.5 | 150              | 32.1 |
| Master's degree                      | 86     | 16.9 | 74            | 11.2 | 92               | 19.7 |
| Doctoral degree                      | 22     | 4.3  | 41            | 6.2  | 13               | 2.8  |
| Other                                | 44     | 8.7  | 58            | 8.8  | 19               | 4.1  |

Of those specifying, 849 of 1,219 (69.7%) did not have a long-standing illness, disability or infirmity, 158 (12.9%) had an illness or disability that limited them a lot and 211 (17.3%) had an illness or disability that limited them a little. Excluding FOS cases, 775 of 1,015 (76.4%) did not have a long-standing illness, disability or infirmity, 79 (7.8%) had an illness or disability that limited them a lot and 161 (15.8%) had an illness or disability that limited them a little. For those in public schemes, 321 of 537 (59.8%) did not have a long-standing illness, disability or infirmity, 113 (21.0%) had an illness or disability that limited them a lot and 103 (19.2%) had an illness or disability that limited them a little. This compared to 469 of 671 (69.9%) without a long-standing illness, disability or infirmity in private schemes, 86 (12.8%) with an illness or disability that limited them a lot and 116 (17.3%) with an illness or disability that limited



them a little. For private schemes excluding FOS cases, 374 of 479 (78.1%) did not have a long-standing illness, disability or infirmity, 31 (6.5%) had an illness or disability that limited them a lot and 74 (15.4%) had an illness or disability that limited them a little.

Of those specifying their ethnicity, 144 of 1,225 (11.8%) were black and minority ethnic (as opposed to white British). Excluding FOS cases, 104 of 1,019 (10.2%) were black and minority ethnic. In public schemes, 72 of 494 (14.6%) were black and minority ethnic, with 79 of 676 (11.7%) in private schemes and 48 of 486 (9.9%) in private schemes excluding FOS.

Finally, Table 33 shows respondents' age group (where specified) for all respondents and excluding FOS. Table 34 shows respondents' age group for public cases, private cases and private cases excluding FOS.

**Table 33.** Respondents' age group where known (all respondents and excluding FOS)

|          | All respondents |      | Excluding FOS |      |
|----------|-----------------|------|---------------|------|
|          | N               | %    | N             | %    |
| Up to 24 | 6               | .6   | 2             | .3   |
| 25-34    | 65              | 5.9  | 82            | 9.6  |
| 35-44    | 155             | 13.9 | 134           | 15.7 |
| 45-54    | 277             | 24.9 | 173           | 20.2 |
| 55-64    | 308             | 27.7 | 218           | 25.5 |
| 65-74    | 249             | 22.4 | 179           | 20.9 |
| 75+      | 51              | 4.6  | 67            | 7.8  |

**Table 34.** Respondents' age group where known (public, all private and private excluding FOS)

|          | Public |      | Private - all |      | Private - no FOS |      |
|----------|--------|------|---------------|------|------------------|------|
|          | N      | %    | N             | %    | N                | %    |
| Up to 24 | 4      | 0.9  | 3             | 0.5  | 1                | 0.1  |
| 25-34    | 29     | 6.5  | 36            | 5.9  | 40               | 9.9  |
| 35-44    | 71     | 16.0 | 85            | 13.9 | 63               | 15.6 |
| 45-54    | 95     | 21.4 | 153           | 25.0 | 81               | 20.0 |
| 55-64    | 112    | 25.3 | 170           | 27.7 | 103              | 25.5 |
| 65-74    | 91     | 20.5 | 138           | 22.5 | 85               | 21.0 |
| 75+      | 41     | 9.3  | 28            | 4.6  | 31               | 7.7  |

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